



# Proposed Policy Resolutions and Platform Changes

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As Recommended by the NACo Board of  
Directors Sitting as the Resolutions Committee

July 24, 2017

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# ADMINISTRATIVE CHANGES TO THE NACo POLICY PROCESS

## PROPOSED POLICY PROCESS CHANGES

### NACo POLICY PROCESS

~~The National Association of Counties (NACo) is the only national organization representing county government in the United States. Its membership includes urban, suburban, and rural counties.~~

~~NACo is governed by its member counties through a weighted voting system based on dues, which are based on population. Member counties elect officers and a board of directors at the annual conference.~~

#### **NACo VISION**

~~NACo, with the creative involvement of its membership, will develop the leadership, programs, and services necessary to enable counties to:~~

- ~~• meet the challenges of the 21<sup>st</sup> century;~~
- ~~• manage rapid change; and~~
- ~~• assist their citizens in achieving a better quality of life.~~

~~A collaborative partnership, involving government, health, education, business, and the community is essential to achieve this vision.~~

~~NACo recognizes that economic opportunity, environmental integrity, and societal equity are the foundation upon which counties can build a better quality of life for our citizens. As locally elected representatives, county officials have a significant responsibility to provide leadership that will seek community-based solutions to strengthen their own counties. NACo supports the following values that can lead to the development of sustainable communities:~~

- ~~• Economic vitality is crucial to the health of every community.~~
- ~~• Natural, scenic, cultural, and historic resources are important community assets.~~
- ~~• Choices should be made to accommodate economic development while also preserving vital natural environmental systems.~~
- ~~• The process of arriving at a community vision should be open and inclusive and reflect the diverse population of the community.~~
- ~~• Because communities and their surrounding areas are interdependent, there is a need for collaborative approaches to problem solving.~~
- ~~• Safe, healthy, and clean communities are necessary to ensure a high quality of life for their citizens.~~
- ~~• Community stability and social well-being go hand in hand.~~



## **ABOUT NACo**

The National Association of Counties (NACo) unites America's 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government, and exercise exemplary leadership in public service.

## **MISSION**

Through NACo, county officials:

- Advocate with a collective voice on national policy
- Exchange ideas and build new leadership skills
- Pursue transformational, cost-effective solutions
- Enrich the public's understanding of county government, and
- Exercise exemplary leadership in public service.

## **VISION**

Healthy, vibrant and safe counties across the United States.

## **BOARD OF DIRECTORS**

The board of directors has general supervision, management, and control of the business of the association and sits as the resolutions committee. The board approves the NACo work program and budget and makes interim policy between annual meetings. Board members serve for one year and must come from member counties.

## **POLICY MAKING**

NACo has three forms of policy pronouncements: the *American County Platform*; policy resolutions passed by the members at the annual meeting; and Board resolutions on policy passed by the board of directors between annual meetings.

1. The *American County Platform* is NACo's permanent policy document. When necessary, it is amended at the annual meeting. Divided into substantive policy areas covered by ten policy steering committees, the platform reflects the philosophy and overall objectives of NACo's membership.
2. Policy resolutions are generally single-purpose documents addressing a specific issue or piece of legislation. Resolutions draw attention to a topic of current concern, clarify parts of the broadly worded platform, or set policy in areas not covered by the platform. These resolutions are valid until the next annual meeting, at which time they are reviewed by the appropriate steering committee and considered for inclusion in the platform. If they are not readopted or included in the platform, they expire.
3. Board resolutions are passed by the board between annual meetings and are valid until the next annual meeting, at which time they are reviewed by the appropriate steering committee and considered by the board of directors and the general membership or they expire.

1 When necessary, the executive committee may make interim policy decisions between board  
2 meetings, provided the policy is not in opposition to an adopted policy of the board of  
3 directors or the membership.

4  
5 The ten steering committees propose platform changes and resolutions to the board of directors,  
6 sitting as a resolutions committee, which reports the proposals to the membership at the annual  
7 business meeting. No platform change or resolution can be brought before the full NACo  
8 membership for discussion or debate unless it has been submitted to the appropriate steering  
9 committee. However, issues which clearly do not fit within the jurisdiction of an established  
10 steering committee may, at the discretion of the president, be brought before the resolutions  
11 committee. Because issues can be crosscutting among policy steering committees, more than  
12 one committee may review a resolution or platform change.

13  
14 Issues which have been addressed by the resolutions committee may then be brought before the  
15 general meeting. The membership is the ultimate arbiter of what will or will not be NACo  
16 policy. The NACo staff carries out the policy of the association and represents counties only  
17 on those issues which have been approved through the policy process.

18  
19 LUCC and RAC may propose policy to the appropriate committee of jurisdiction, but do not  
20 have the authority to enact or recommend policy to the board of directors.

21  
22 The *American County Platform* and policy resolutions contained in this volume have been  
23 adopted by NACo members. The platform and resolutions are carefully considered statements  
24 of the needs and interests of county governments throughout the nation and will serve as a  
25 guide for NACo members and staff in the year ahead as they appear before legislative and  
26 administrative agencies to present the views of county governments.

## 27 28 **PROCEDURES FOR SUBMITTING AND CONSIDERING NACO RESOLUTIONS**

29 The NACo resolutions process provides the membership with the ability to create national  
30 policies affecting county governments. The process is intended to be as open as possible, in  
31 order to allow participation from the entire membership. There are, however, some guidelines  
32 to ensure that the process is a relatively orderly one. The guidelines are as follows:

33  
34 **Submitting Resolutions:** Resolutions and platform changes must be ~~sent~~ submitted  
35 electronically in an editable format to [resolutions@naco.org](mailto:resolutions@naco.org), to the steering committee staff  
36 person or NACo Legislative Director at NACo headquarters ~~30~~ no later than 30 days prior to a  
37 NACo conference.

38 These resolutions may be introduced at NACo conferences, including the Annual Conference,  
39 Legislative Conference or, in some cases, any other conference where the NACo Board of  
40 Directors convenes.

41  
42 Resolutions should, if possible, be no more than one page in length and be simply and directly  
43 written. They should include an “**Issue**” statement, a “**Proposed Policy**” statement, a factually  
44 accurate “**Background**” statement and a “**Fiscal/Urban/Rural Impact**” statement if possible.  
45 For those without a specific impact statement, the NACo steering committee staff will develop  
46 an appropriate statement prior to submittal to the Board. For resolutions, the “Issue” statement

1 should be a short sentence and state the purpose of the resolution, the “Proposed Policy” section  
2 should specify a position or action by NACo and/or other entities, the “Background” section  
3 should clearly outline the county interest in the particular issue, and the “Fiscal/Urban/Rural  
4 Impact” section should attempt to address potential impacts for counties in these areas, if  
5 known. Resolutions cannot overrule platform language, which has been ratified by the  
6 membership. NACo staff may make necessary changes to the resolutions to ensure that they are  
7 in the proper format.

8  
9 The NACo Legislative Director, in consultation with the steering committee staff person, shall  
10 make a preliminary decision as to which steering committee(s) to initially refer the proposed  
11 resolution, and will be ~~(?)~~ subject to review by the Policy Coordinating Committee at the  
12 conference.

13  
14 **Distribution of Resolutions:** No later than 14 days prior to the Legislative and Annual  
15 conferences, all proposed resolutions pertinent to a steering committee and those acted upon at  
16 a previous NACo conference which need final disposition by the NACo Board and general  
17 membership will be ~~mailed sent~~ to members of the appropriate steering committee. The  
18 steering committee chairs, vice-chairs, subcommittee chairs and vice-chairs will be ~~mailed sent~~  
19 material containing all steering committee resolutions and platform changes to be considered at  
20 a conference.

21  
22 **The Role of the Policy Coordinating Committee/Request for Referrals:** The Policy  
23 Coordinating Committee (PCC) consists of the chairs of each of the policy steering  
24 committees and the NACo Officers. It is the responsibility of this body to review all proposed  
25 resolutions and determine, prior to the meetings of the full steering committees, whether there  
26 are resolutions which must be considered by more than one steering committee because of a  
27 policy issue that cuts across steering committee jurisdictions.

28  
29 The first meeting of the PCC is typically held ~~at the end of the first day of the conference prior~~  
30 to the steering committee meetings. Prior to, or during the first PCC meeting, it is the  
31 responsibility of steering committee chairs to request, through the NACo Legislative Director  
32 and the presiding NACo Officer, the opportunity to consider a resolution that has not been  
33 previously referred to it by NACo staff. If a subcommittee chair is interested in considering a  
34 resolution that was not referred to the full steering committee, he/she must, prior to the first  
35 PCC meeting, ask the steering committee chair to consider requesting a referral of the  
36 resolution.

37  
38 For resolutions that have been referred to another committee, time must be made available at the  
39 steering  
40 committee meeting for the sponsor of the resolution or his/her representative to explain its  
41 intent. This presentation may also be made at a subcommittee meeting, but it shall not replace  
42 the presentation at the full steering committee.

43  
44 **Emergency Resolutions Submitted After the 30 Day Time Limit:** Steering committees may  
45 also consider other resolutions or platform changes that were not submitted within the 30 day  
46 time limit. These so-called “emergency” resolutions are federal legislative or regulatory

1 matters that could not have been foreseen 30 days prior to the conference, and is an issue of a  
2 timely nature that NACo should consider action immediately. Inaction on the part of a  
3 submitter is not grounds for an emergency resolution.

4  
5 Steering committees receiving emergency resolutions or platform changes may consider them  
6 only if two-thirds of the steering committee members present vote to review them. This vote  
7 and the vote resulting in the adoption or defeat of the actual resolution must be tallied and  
8 reported to the PCC at the conclusion of all steering committee meetings.

9  
10 If a steering committee, after a two-thirds vote to take action, considered and ultimately  
11 adopted a resolution that was not anticipated before the first PCC meeting, the PCC, at the  
12 request of any steering committee chair, may table the resolution for consideration until the  
13 next NACo conference. The request to table must be approved during the PCC meeting by a  
14 majority of the steering committee chairs or their designees or officers present.

15  
16 **The Subcommittee's Role:** NACo subcommittees usually meet prior to their steering  
17 committee to both receive specific, detailed information about their issues and to consider  
18 resolutions for later disposition by the full steering committee. Most, but not all, resolutions  
19 are usually considered first in a subcommittee. The subcommittee may consider the resolution  
20 referred to it by the steering committee chair and make a recommendation, with a recorded  
21 vote, to the full steering committee on the disposition of the resolution. A subcommittee does  
22 not have the ability to table or defeat a resolution, thus prohibiting full committee  
23 consideration. There is no specific requirement for subcommittees to make recommendations.

24  
25 **Platform Changes/Existing Resolutions:** Platform changes are considered only at the  
26 Annual Conference. As with resolutions, they must be submitted to the NACo legislative  
27 staff at least 30 days prior to the conference.

28  
29 Each year resolutions will automatically be deleted from the *American County Platform* at  
30 the following Annual Conference. At that conference, those resolutions that are still  
31 relevant must be incorporated into platform language or offered 30 days in advance as a  
32 "new" resolution to be considered by the appropriate steering committee. Resolutions  
33 passed by the NACo Board at the Legislative Conference must be reviewed by the  
34 appropriate steering committee and recommended for ratification by the general  
35 membership, or be dropped. Resolutions cannot be used to overturn or modify existing  
36 language in the platform.

37  
38 **Presentation of Resolutions and Platform Changes to the NACo Board of Directors Sitting**  
39 **as a Resolutions Committee:** Each steering committee chair will report to the Resolutions  
40 Committee the platform changes and resolutions adopted by the steering committee. They will  
41 also report on the proposed disposition of resolutions adopted at any previous conference.  
42 Steering committees should make every effort to settle disputes on resolutions before the  
43 meeting of the NACo Board of Directors. They should consider blending and amending the  
44 resolutions into one compromise proposal or they should table the issue for further discussion.  
45 If those alternatives are not acceptable to the steering committees that have differing views,  
46 then the disputed resolution(s) shall be presented to the Board of Directors after all other

1 resolutions have been considered and acted upon. The representative of the steering committee  
2 that originally drafted the resolution shall present their resolution first, followed by a response  
3 and resolution from the other committee.

4  
5 A steering committee chair shall report actions taken on all platform changes and  
6 resolutions, both as part of the resolutions “package” and during the chair’s report to the  
7 Board of Directors when it sits as a Resolutions Committee.

8  
9 The chair’s report shall identify:

- 10  
11 • those platform changes and resolutions that were adopted unanimously;  
12 • those platform changes and resolutions that were adopted with some unrecorded “nay”  
13 votes; and  
14 • those platform changes and resolutions that were adopted by roll call vote, announcing the  
15 “yeas” and “nays”.

16  
17 **Minority Reports:** If a resolution is defeated during steering committee consideration, a one  
18 page minority report may be made on an action taken by roll call vote where the voting  
19 minority constituted at least 25 percent of those steering committee members present and  
20 voting. After announcing such a vote, the steering committee chair may allow a member of  
21 the minority to present the minority report to the Board for informational purposes only. No  
22 Board action is taken on the minority report.

## 23 24 **STEERING COMMITTEE NOMINATIONS PROCESS**

25 Every spring, NACo calls for NACo steering committee nominations through the state  
26 associations of counties. Approximately one month before the NACo annual conference, county  
27 officials must submit their completed nomination forms to their state associations of counties.  
28 Generally, the President of the state association, in consultation with the state executive director,  
29 appoints state members to NACo’s steering committees. Nomination forms are sent to the state  
30 associations of counties, along with a list of the current steering committee members  
31 from their state and a sample announcement they may use to notify their membership about  
32 the process and the deadlines for submitting nominations. Affiliate nominations to steering  
33 committees must also follow the same process.

34  
35 Applicants are urged to mark their first and second choices of steering committees on the  
36 nomination form. The state associations of counties will submit names electronically by a  
37 deadline determined by the NACo Legislative Director.

38  
39 **The Eight and Two Rule:** NACo will make every effort to accommodate the nominee’s first  
40 choice of steering committee assignments. NACo will consider the state and regional balance  
41 on the steering committees and ensure that, at a minimum, the membership of each steering  
42 committee is at least two-thirds elected county officials. Only eight county officials from the  
43 same state will be appointed to any one steering committee, and no more than two persons  
44 from the same county may serve on any one steering committee. This does not include NACo  
45 presidential appointments.

1 Prior to the mailing of the appointment letters, the NACo staff will review the new steering  
2 committee rosters to ensure that there is geographic and demographic diversity within each  
3 committee and the above guidelines for membership by a state or county are followed.

4  
5 **Appointments:** The NACo president will send each appointee a letter announcing their  
6 appointment to a steering committee. The NACo Legislative Director, Deputy Director, or an  
7 Associate Legislative Director will contact appointees with relevant information regarding the  
8 NACo policy process, committee membership links, schedules, the *American County Platform*  
9 and other relevant information.

10  
11 Steering Committee appointees will serve on the committee for one year and cannot transfer  
12 membership to another committee, or serve on more than one steering committee, during that  
13 year. (As with any other NACo member, however, the appointee is welcome to attend any  
14 other steering committee meeting to learn about its issues.) Committee appointees may serve  
15 simultaneously on NACo caucuses, standing committees, task forces, or ad hoc committees.

16  
17 **Steering Committee Roles and Responsibilities:** Each policy steering committee has  
18 members who are nominated by the state associations of counties and appointed by the NACo  
19 president for one year. The committee chair and subcommittee chair are generally elected  
20 officials who are appointed by the NACo president for one year. At least two-thirds of the  
21 members of each steering committee should be elected officials, but many committees have a  
22 much greater elected representation. Steering committees are responsible for studying issues,  
23 recommending new policy positions, and carrying out the *American County Platform* through  
24 advocacy activities.

25  
26 Committees review problems facing counties, identify areas of concern to counties, and make  
27 suggestions for federal, state, and county involvement. They build county and state support for  
28 recommended revisions in federal rules and regulations and assist in building state association  
29 participation in policy formulation and implementation processes. Committees also advise the  
30 NACo board on priorities, strategies, and tactics involving federal legislation, rules, and  
31 regulations, and they participate in special rallies, conferences, and meetings of the association  
32 to advance the objectives of the committee.

33  
34 Platform amendments and resolutions from member counties are submitted to the appropriate  
35 steering committee for review and recommendation. At least one NACo staff member is  
36 assigned to each steering committee to work with the committee chair in arranging meetings  
37 and determining agendas. Each steering committee reviews legislation and issues within its  
38 jurisdiction. Committees usually meet at least twice a year, always at the annual conference  
39 and legislative conference. In many cases, informal arrangements are made for joint  
40 consideration of certain issues.

41  
42 There are specific policy outreach expectations for every member of a steering committee.  
43 Each steering committee member needs to read and understand the established policy positions  
44 in the *American County Platform* within their respective jurisdictions. Each member also  
45 needs to be prepared to contact members of Congress on important policy issues, both in  
46 Washington, D.C. and in their districts and state. They should be prepared to discuss and

1 inform constituents about the importance of the policy positions taken by NACo, and suggest  
2 ways they can help. Steering committee members should be ready and able to contact local and  
3 state media outlets to inform and impress upon them the importance of the county positions on  
4 policy questions affecting their steering committee jurisdiction. This includes writing op-eds,  
5 letter to the editor, editorial boards, etc.

6  
7 Members should also be prepared to convene in meetings, participate in coalitions, and use  
8 the “bully pulpit” of elected office to inform a broader audience of the importance of  
9 NACo’s policy issues. Because many issues cut across jurisdictional lines, steering  
10 committees may provide oversight of platform amendments and resolutions from other  
11 committees that affect their areas of jurisdiction. The specific committee jurisdictions are:

- 13 • **Agriculture and Rural Affairs:** All matters pertaining to legislation and  
14 administrative actions affecting agriculture; rural development programs; rural  
15 renewable energy development; research and extension; food safety; and USDA  
16 conservation programs.
- 17 • **Community, Economic, and Workforce Development:** All matters pertaining to  
18 housing programs; community and economic development; public works including the  
19 creation of affordable housing and housing options for different populations; residential,  
20 commercial, and industrial development; and building and housing codes.
- 21 • **Environment, Energy and Land Use:** All matters pertaining to air, water, energy, and  
22 land use; including water resources/management, stormwater; pesticides; air quality  
23 standards; climate change; solid, hazardous, and nuclear waste handling, transport, and  
24 disposal; national energy policy; renewable/alternative energy; alternative fuel vehicles;  
25 energy facility siting; electricity utility restructuring; pipeline safety; oil spills;  
26 superfund/brownfields; eminent domain; land use; coastal management; oceans; parks  
27 and recreation.
- 28 • **Finance, Pensions Intergovernmental Affairs:** All matters pertaining to the  
29 financial resources of counties; fiscal management; federal assistance; municipal  
30 borrowing; county revenues; federal budget; federal tax reform; elections; and  
31 Native American issues.
- 32 • **Health:** All matters pertaining to public health and healthy communities, including  
33 disease and injury prevention and health promotion; health disparities reduction;  
34 financing delivering health care, including services for the uninsured, underinsured,  
35 and medically indigent; Medicaid; Medicare; long-term care; behavioral health  
36 services; substance abuse prevention and treatment; and services for persons with  
37 developmental disabilities.
- 38 • **Human Services and Education:** All matters pertaining to children’s issues; foster  
39 care; public assistance and income support; services to senior citizens and individuals  
40 with disabilities; immigration policy; social services; and elementary, secondary and  
41 post-secondary education.
- 42 • **Justice and Public Safety:** All matters pertaining to criminal justice and public safety  
43 systems, including criminal justice planning; law enforcement; courts; corrections;  
44 homeland security; community crime prevention; juvenile justice and delinquency  
45 prevention; emergency management; fire prevention and control; and civil disturbances.

- 1       • **Public Lands:** All matters relating to federally-owned public lands including federal  
2       land management programs; natural resource revenue sharing payments; payments in  
3       lieu of taxes; and property tax immunity concerns.
- 4       • **Telecommunications and Technology:** All matters pertaining to  
5       telecommunications and technology policy, including, but not limited to, the county  
6       role as a telecommunications regulator, service provider, and consumer; cable  
7       services technology and implementation; information technology development and  
8       implementation; information technology innovation; e-governance; and geo-spatial  
9       data collection and utilization.
- 10      • **Transportation:** All matters pertaining to federal transportation legislation,  
11      funding and regulation and its impacts on county government, including highway  
12      and bridge development, finance and safety; public transit development and  
13      finance; transportation planning; airport development and service; passenger and  
14      freight railroads; ports and waterways; freight movement; and research and  
15      development of new modes of transportation.

16  
17      **Task Forces:** In addition to the ten policy areas governed by steering committees, there are,  
18      occasionally and periodically, issues which impact the jurisdictions of several steering  
19      committees. Because these areas are not appropriate for limited consideration, they are often  
20      referred to special task forces for broader policy consideration than that offered initially by a  
21      single steering committee.

22  
23      These task forces or other special review bodies, like steering committees, report their  
24      findings to the Board of Directors and the membership as a whole. Where permanent  
25      policy is required, the policies so adopted may be inserted into appropriate locations within  
26      the platform. Temporary or other impermanent policies are treated as general resolutions.  
27      Resolutions and platform changes recommended by a task force must be considered and  
28      adopted by the relevant steering committee(s) through the regular resolutions process.



# AGRICULTURE AND RURAL AFFAIRS

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change Regarding GMO Regulations and Disclosure

#### Under Section IV. AGRICULTURE:

- K. GMO Regulations:** NACo supports a comprehensive plan to address the co-habitation and protection 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.

#### Under Section V. FOOD SAFETY:

- F. GMO Disclosure:** NACo supports a national policy on the disclosure of genetically engineered ingredient or content information, which can alleviate the need for state, county or municipal governing bodies to regulate, investigate or enforce regulation of related ordinances or laws. National disclosure policy should recognize the safety of genetically engineered ingredients and balance providing interested consumers with means of accessing information about genetically engineered foods without unnecessarily stigmatizing the technology. Means of providing information to consumers could include various means such as electronic or digital links, or a QR code.

**July 23, 2017**

**Approved | NACo Board of Directors**

## PROPOSED RESOLUTIONS

### Proposed Resolution on Preserving Rural Development Programs in the Farm Bill

**Issue:** Support for program structure and funding for programs under U.S. Department of Agriculture's Rural Development

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to find opportunities to streamline the grant and loan application process while preserving the program structure and funding authorizations for individual Rural Development Programs under the U.S. Department of Agriculture.

**July 23, 2017**

**Approved | NACo Board of Directors**

# COMMUNITY, ECONOMIC AND WORKFORCE DEVELOPMENT

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change on Affirmatively Furthering Fair Housing

#### Under Section A. The Need for Affordable, Workforce and Entry Level Housing, Second Paragraph:

NACo urges Congress and the U.S. Department of Housing and Urban Development (HUD) to provide dedicated resources to enhance the ability of counties and local governments to comply with HUD's AFFH Final Rule and complete the required AFH planning process, including but not limited to: increased flexibility to utilize Community Development Block Grant (CDBG) funds beyond existing statutory and regulatory caps for fair housing planning and program implementation; and dedicated funds for local governments to offset the increased costs associated with undergoing the mandated AFH planning process. In addition, HUD is urged to provide enhanced technical assistance to counties and local governments to aid them in developing comprehensive AFHs, such as best practice guides, toolkits and sample agreements for regional or multi-jurisdictional collaboration, fair housing program implementation guidance, and specialized assistance for public housing authorities.

### Proposed Platform Change on Emergency Solutions Grant Funds

#### Under Section C. Federal Role in Housing, Homeless Assistance (at end):

NACo supports an amendment to the current law to allow metropolitan city Emergency Solutions Grant (ESG) funds that fall below the threshold to be remitted to the urban county in which the municipality is located, rather than the state. Additionally, NACo supports legislation that allows Metropolitan Cities and Urban Counties to form consortia for purposes of receiving and administering ESG funds.

**July 23, 2017**

**Approved | NACo Board of Directors**

## PROPOSED RESOLUTIONS

### Proposed Resolution on FY 2018 Appropriations for the U.S. Department of Housing and Urban Development

**Issue:** Support FY 2018 appropriations for the U.S. Department of Housing and Urban Development (HUD).

**Proposed Policy:** The National Association of Counties (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 2018 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 Partnership Program (HOME); no less than \$2.6 billion for Homeless Housing Assistance grants, including at least \$270

1 million for the Emergency Solutions Grant program plus an amount to fully fund expiring supportive  
2 housing and Shelter Plus Care rent subsidy contracts; full funding for existing Section 8 project-based  
3 and tenant-based contracts; and \$500 million in Section 108 Loan Guarantee authority.

4  
5 In addition, NACo opposes the imposition of a funding threshold to receive CDBG and HOME  
6 Investment Partnerships program funds directly, or the revision of “grandfathering” provisions that  
7 would remove participating jurisdictions from future funding eligibility.

8  
9 **July 23, 2017**

10 **Approved | NACo Board of Directors**

11  
12 **Proposed Resolution to Maintain Current Funding for HUD-VASH Vouchers for Homeless**  
13 **Veterans in FY 2018 Budget**

14  
15 **Issue:** Support for federal funding for the HUD-Veterans Affairs Supportive Housing (HUD-VASH)  
16 program.

17  
18 **Proposed Policy:** The National Association of Counties (NACo) urges Congress to maintain current  
19 funding for the HUD-VASH voucher program for homeless veterans at a level of not less than \$40  
20 million for FY 2018.

21  
22 **July 23, 2017**

23 **Approved | NACo Board of Directors**

24  
25 **Proposed Resolution on Affordable Housing**

26  
27 **Issue:** Support an increase in the supply of affordable housing through the expansion of tools such as the  
28 Low-Income Housing Tax Credit program.

29  
30 **Proposed Policy:** The National Association of Counties (NACo) urges Congress to increase the  
31 allocation of Low Income Housing Tax Credits (LIHTCs) by 50 percent and enact a permanent 4  
32 percent credit rate floor for acquisition and bond-financed projects, allowing the program to create and  
33 preserve more affordable homes in the United States. Additionally, NACo urges Congress to provide  
34 enhancements and increased funding levels to all programs aimed at increasing the supply of affordable  
35 housing.

36  
37 **July 23, 2017**

38 **Approved | NACo Board of Directors**

## **Proposed Resolution to Support the Housing First Approach**

**Issue:** Housing First Approach

**Proposed Policy:** The National Association of Counties (NACo) strongly supports retaining Housing First as a best practice approach to homeless assistance that prioritizes providing permanent housing to people experiencing homelessness.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (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 this critical time in the history of our nation.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on FY 2018 Appropriations for the Workforce Innovation and Opportunity Act (WIOA)**

**Issue:** Support FY 2018 Appropriations for the Workforce Innovation and Opportunity Act Funding

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to provide adequate resources for Workforce Innovation and Opportunity Act (WIOA) programs and fund the Title I and Title II accounts at the level authorized by the Act:

#### Title I – Department of Labor

- \$861.1 million for Adult Employment and Training Services, \$922.2 million for the Youth Activities, and \$1.37 billion for Dislocated Worker Employment and Training Services

#### Title II – Department of Education

- \$649.287 million for Adult Education

In addition, NACo supports only a WIOA formula allocation funding approach. NACo supports local control and investment at the county and municipality level, and rejects any mechanism that gives States more authority than WIOA intends.

**July 23, 2017**

**Approved | NACo Board of Directors**

1                   **Proposed Resolution on Registered Apprenticeships Program Flexibility**  
2

3   **Issue:** Support flexibility for registered apprenticeships, academic and hands-on training.  
4

5   **Proposed Policy:** The National Association of Counties (NACo) urges Congress to provide more  
6 flexibility for the Registered Apprenticeships Program to allow for more hours to be achieved through  
7 relevant college and workshop classroom instruction, rather than all hours having to be recorded  
8 working with a journeyman.  
9

10   **July 23, 2017**

11   **Approved | NACo Board of Directors**

# ENVIRONMENT, ENERGY AND LAND USE

## PROPOSED PLATFORM CHANGES

### **Proposed Platform Change on National Flood Insurance Program Environmental Consideration**

#### **Under WATER QUALITY:**

##### **C. Watershed and Wetlands Management:**

Management of watersheds, wetland areas, and coastal watersheds address public health and safety, environmental protection, and restoration issues within hydrologically defined geographic areas. Local governments make critical front-line land use decisions balancing these important considerations with achieving sustainable economies. Counties must be involved in all aspects of planning and management.

NACo supports expanded federal funding and increased flexibility for planning and implementation of watershed management at the local level and for the restoration of wetlands, repair of habitat, coordination of stormwater management programs with comprehensive watershed management efforts, and establishment of native vegetation on lands vital to water quality.

NACo urges continued federal funding of the Coastal Zone Management Act (CZMA) and the Coastal Impact Assistance Program, CWA programs such as the National Estuary Program Comprehensive Conservation and Management Plans, State and Local Wetlands Grants and Wetlands Conservation Plans, the Non-Point Source Grants Program, and the Small Watershed Program for small agricultural watersheds under the Food Security Act.

NACo supports flexible and voluntary water quality trading policies that control and reduce watershed non-point pollution. Costly controls should not be required when less costly controls are appropriate and effective.

NACo supports federal government efforts to discourage residential, commercial, or industrial development in floodplains and wetlands, when feasible, because NACo recognizes these areas are of great natural productivity, hydrological utility and environmental diversity, and provide natural flood mitigation, improved water quality, recharged aquifers, and flow stabilization of streams and rivers. Flood risk analysis and consideration of the environmental impacts should be performed for development activities, including flood mitigation measures, in these high-risk, sensitive areas.

**July 23, 2017**

**Approved | NACo Board of Directors**

## PROPOSED RESOLUTIONS

### **Proposed Resolution on the EPA and the Corps' Waters of the U.S. Definition Rulemaking**

**Issue:** The EPA is seeking county input on the appropriate definition of "Waters of the United States" within the Clean Water Act (CWA) in new rulemaking.

**Proposed Policy:** The National Association of Counties (NACo) supports withdrawal of the Environmental Protection Agency (EPA) and Army Corps of Engineers' 2015 "Waters of the U.S." (WOTUS) rule and a restart of the rule-making process, limited to the scope allowed under the "Interstate Commerce Clause" within the United States Constitution. NACo recommends that the agencies work closely with state and local governments to develop consensus in the development of a new WOTUS rule.

**July 23, 2017**

**Approved | NACo Board of Directors**

#### **Proposed Resolution on U.S. Army Corps of Engineers Section 404 Permits**

**Issue:** It is difficult to get U.S. Army Corps of Engineers (Corps) Section 404 permits approved in a timely manner.

**Proposed Policy:** The National Association of Counties (NACo) supports legislative and regulatory efforts to improve and shorten the Corps timeline to review and issue Section 404 permits.

**July 23, 2017**

**Approved | NACo Board of Directors**

#### **Proposed Resolution Supporting Codification of EPA's Integrated Planning Framework and Related Demonstration Projects**

**Issue:** Clean Water Act ("CWA") compliance for sewer districts across the county is too costly.

**Proposed Policy:** The National Association of Counties (NACo) urges the passage of legislation that codifies the U.S. Environmental Protection Agency's ("EPA") 2012 Integrated Municipal Stormwater and Wastewater Planning Approach Framework ("Integrated Planning Framework"), under which sewer districts can seek more efficient and affordable solutions to CWA compliance, and that creates demonstration projects under which local communities will be allowed more flexibility in their efforts to comply with the regulatory requirements of the CWA.

**July 23, 2017**

**Approved | NACo Board of Directors**

#### **Proposed Resolution on EPA's Imposition of Numeric Water Quality-Based Effluent Limitations on Local Governments**

**Issue:** The U.S. Environmental Protection Agency (EPA) is imposing watershed-wide water quality standards on all localities within the Chesapeake Bay watershed, which will have implications on other counties across the nation when such standards are imposed in other watersheds.

**Proposed Policy:** The National Association of Counties (NACo) opposes U.S. EPA's efforts to implement localized numeric water quality-based effluent limitations or area pollution targets. NACo opposes any provisions of any watershed-wide strategy that penalizes local governments by withdrawing

current forms of financial assistance or imposing monitoring, management or similar requirements on localities without providing sufficient resources to achieve water quality objectives.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution Urging Congress to Provide Funding for Local Efforts to Address Sea Level Rise**

**Issue:** Addressing the threat posed by rising sea levels to the built environments of coastal communities across the country.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to provide appropriate financial assistance and support to local governments for sea level rise and increased storm surge related initiatives and projects that aim to develop adaptive solutions to these potentially devastating events.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution in Support of Affordable Beach Renourishment Projects**

**Issue:** Allowing local governments to purchase sand from countries outside of the U.S. to replenish shorelines due to beach erosion.

**Proposed Policy:** The National Association of Counties (NACo) supports enabling the Secretary of the Army Corps of Engineers to allow counties to acquire sand by purchase, exchange or otherwise from non-domestic sources for the purpose of beach renourishment.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on Compensatory Mitigation In-lieu Fee Programs**

**Issue:** Ensuring that mitigation programs occur in the watershed or region where the impact occurred.

**Proposed Policy:** The National Association of Counties (NACo) believes that in-lieu fees for compensatory mitigation should be used in the watershed where the fee was collected.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution in Opposition to Material Preference Legislation**

**Issue:** There is a national effort to eliminate local control of water, wastewater and stormwater (water) infrastructure systems, and it would deny engineers, utility managers, and local government officials the ability to design water systems in the manner that best serves the needs of their communities.



**Proposed Policy:** The National Association of Counties (NACo) supports local control of water infrastructure procurement decisions. NACo opposes federal legislation that sets mandatory requirements on local water infrastructure procurement decisions.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution in Support of Liquid Natural Gas Export Facilities Nationally**

**Issue:** Increasing liquid natural gas (LNG) infrastructure nationally will help stabilize the economic impacts in communities of impact; greater utilization of LNG as a source of domestic and international energy has the potential to reduce the carbon footprint and decrease air quality impacts; and exporting LNG to countries politically aligned with the United States increases global security.

**Proposed Policy:** The National Association of Counties (NACo) supports development of liquid natural gas infrastructure and export facilities which meet or exceed federal, state and local permitting standards and respects local control.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on Supporting the Use of Woody Biomass as an Energy Source**

**Issue:** Urge the federal government to recognize that energy derived from woody biomass sources is renewable and carbon neutral.

**Proposed Policy:** The National Association of Counties (NACo) supports and encourages the further use, including government policies which foster the development, of woody biomass energy sources, like wood chips and wood pellets, because they are reliable, and renewable, and carbon neutral consistent with established and well-supported science.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Allow Construction of the Keystone XL Pipeline**

**Issue:** Construction of the Keystone XL Pipeline will create jobs and strengthen the tax base of counties.

**Proposed Policy:** The National Association of Counties (NACo) supports construction of the Keystone XL Pipeline.

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution on the Administration's FY2018 Budget Request to Eliminate GOMESA  
Revenue Sharing Funds**

**Issue:** Amending or modifying the Gulf of Mexico Energy Security Act of 2006 (GOMESA) to redirect Outer Continental Shelf (OCS) oil and gas leasing activities and revenue sharing to the U.S. Treasury and away from eligible coastal states and their counties, parishes and boroughs.

**Proposed Policy:** The National Association of Counties (NACo) urges that Congress oppose the Administration's FY 2018 budget request to eliminate GOMESA's revenue sharing with eligible states, counties, parishes and boroughs and redirect the funds to the U.S. Treasury.

**July 23, 2017**

**Approved | NACo Board of Directors**

## Proposed Resolution to Oppose EPA's Efforts to Tighten Ozone Air Quality Standards

**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.

**July 23, 2017**

**Approved | NACo Board of Directors**

## Proposed Resolution Supporting the Option to Transition to a Low-Carbon Economy

**Issue:** Allowing willing counties, cities and states to capitalize on a low carbon economy.

**Proposed Policy:** The National Association of Counties (NACo) supports the federal government providing assistance and mechanisms for willing counties, cities and states to partner with federal and international entities to benefit from the global transition to a low carbon economy.

**July 23, 2017**

**Approved | NACo Board of Directors**

# FINANCE, PENSIONS AND INTERGOVERNMENTAL AFFAIRS

## PROPOSED RESOLUTIONS

### Proposed Resolution in the Matter of Full Funding of the 2002 Help America Vote Act

**Issue:** States and localities have used or obligated funds appropriated by the Help America Vote Act of 2002 (HAVA) to implement the requirements of the law and to improve the administration of elections. However, fulfilling the original intent of HAVA and fully funding the law is necessary to ensure states and local governments have the financial resources they need to sustain the improvements they made since 2002.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to fully fund the requirements payments of the Help America Vote Act. These funds are allocated to states to continuously upgrade voting systems, register voters in statewide voter registration databases, provide provisional voting options, improve voter accessibility and implement other improvements to the administration of elections.

**July 23, 2017**

**Approved | NACo Board of Directors**

### Proposed Resolution Regarding the Designation of Election Systems as Critical Infrastructure

**Issue:** On January 6, 2017, the U.S. Department of Homeland Security designated election systems as critical infrastructure, a designation that prioritizes systems used to manage elections for ongoing assistance with cybersecurity from the federal government.

**Proposed Policy:** The National Association of Counties (NACo) reiterates that counties administer the nation's elections. While states have a federally mandated role in administering statewide voter registration lists, the U.S. Department of Homeland Security (DHS) should work directly with county officials in all efforts to support the security of polling places, storage facilities, voting equipment, vote tabulation, voter registration and pollworker databases and other systems that are administered at the county level. County officials have experience working with DHS to protect other subsectors of the nation's critical infrastructure and should be included in the establishment of an Election Infrastructure Subsector Coordinating Council. NACo also requests DHS work with the U.S. Election Assistance Commission to improve information sharing with local officials about alleged hacking attempts and to inform election officials of any federal grant opportunities or other resources available to strengthen the security of county-managed election systems.

**July 23, 2017**

**Approved | NACo Board of Directors**

### Proposed Resolution Supporting the U.S. Election Assistance Commission

**Issue:** H.R. 634 has been proposed to terminate the U.S. Election Assistance Commission, which provides assistance to state and local jurisdictions with the administration of federal election laws and

1 programs. The legislation would transfer certain functions of the Election Assistance Commission  
2 (EAC) to the Federal Election Commission (FEC).

3  
4 **Proposed Policy:** The National Association of Counties (NACo) opposes the termination of the U.S.  
5 Election Assistance Commission. NACo recognizes the importance of rigorous testing of voting  
6 equipment and appreciates the efficiencies and cost savings of voluntary federal certification. NACo  
7 appreciates the important role that the EAC plays in coordinating collaborative efforts among local, state  
8 and federal government officials in addressing issues from the accessibility of polling places to the  
9 cybersecurity of voting equipment and voter registration databases.

10  
11 **July 23, 2017**

12 **Approved | NACo Board of Directors**

13  
14 **Proposed Resolution to Oppose the ACA's 40 Percent Excise Tax on High-Cost and Employer-**  
15 **Provided Health Benefits**

16  
17 **Issue:** Resolution to Oppose the ACA's 40 percent Excise Tax on High-Cost and Employer-Provided  
18 Health Benefits

19  
20 **Proposed Policy:** The National Association of Counties (NACo) opposes the taxation of health  
21 insurance benefits to county employees through the application of the ACA excise tax on health  
22 insurance benefits for county employees, the capping of the tax exclusion for employer-based defined  
23 contributions made by counties and any new taxes which would apply to the health benefits that counties  
24 provide to their employees.

25  
26 **July 23, 2017**

27 **Approved | NACo Board of Directors**

28  
29 **Proposed Resolution on the Marketplace Fairness Act and Remote Transactions Parity Act**

30  
31 **Issue:** Remote Sales Tax Legislation

32  
33 **Proposed Policy:** The National Association of Counties (NACo) encourages and supports efforts to  
34 permit the collection of sales and use taxes from remote sellers and endorses remote sales tax legislation  
35 like the Marketplace Fairness Act or Remote Transactions Parity Act to provide states with the ability to  
36 enforce their existing state and local sales and use tax laws.

37  
38 **July 23, 2017**

39 **Approved | NACo Board of Directors**

40  
41 **Proposed Resolution to Preserve Municipal Investment Options and Access to Capital for Public**  
42 **Infrastructure and Economic Development**

43  
44 **Issue:** State and local governments rely on access to robust capital markets to finance the construction  
45 and maintenance of schools, roads, public transportation systems, affordable housing, airports and other  
46 important infrastructure projects. Money market funds facilitate that access by investing in short-term  
47 municipal debt that is normally held to maturity. That access has been put at risk by a Securities and

Exchange Commission (SEC) rule that requires prime and tax-exempt money market funds offered to institutional investors to no longer use amortized cost accounting to operate on a stable net asset value (NAV) basis. Instead, beginning October 14, 2016, such funds would be required to use a floating NAV. Bipartisan and bicameral legislation has been introduced in Congress to permit money market funds that invest in the short-term debt of commercial entities and state and local governments to continue to use amortized cost accounting for valuing fund assets. The legislation would preserve money market funds as a source of liquidity and capital for the public infrastructure needs of our citizens.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to enact S. 1117/H.R. 2319, the Consumer Financial Choice and Capital Markets Protection Act. The legislation will preserve communities' access to capital and promote economic development by expressly permitting any money market fund with the choice to operate on a stable net asset value (NAV) basis if it adheres to certain requirements and restrictions. The legislation would not have any impact on the other changes to the regulation of money market funds that were adopted by the Securities and Exchange Commission (SEC) in 2010 and 2014.

**July 23, 2017**

**Approved | NACo Board of Directors**

#### **Proposed Resolution Supporting U.S. Census Bureau's Local Update of Census Addresses (LUCA) Program**

**Issue:** Supporting U.S. Census Bureau Local Update of Census Addresses (LUCA) Program

**Proposed Policy:** The National Association of Counties (NACo) supports the U.S. Census Bureau's Local Update of Census Addresses (LUCA) Program and encourages county governments to participate in the 2020 LUCA program to ensure all addresses in their communities appear in the Census Bureau's Master Address File. A complete and accurate address list will ensure that every household can be enumerated during the 2020 Census.

**July 23, 2017**

**Approved | NACo Board of Directors**

#### **Proposed Resolution to Support Reauthorization of the Volunteer Responder Incentive Protection Act**

**Issue:** Tax protections of incentives for volunteer firefighters and emergency medical services (EMS) personnel expired in 2010 and must be reauthorized.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to reauthorize the Volunteer Responder Incentive Protection Act (VRIPA), which would waive federal income taxes on nominal recruitment and retention incentives provided by local jurisdictions to volunteer firefighters and EMS personnel.

**July 23, 2017**

**Approved | NACo Board of Directors**

1                                   **Proposed Resolution on the Stop Settlement Slush Funds Act**  
2

3   **Issue:** A bill that may restrict or disallow Department of Justice from giving settlements funds from  
4 federal cases to states, counties, parishes and boroughs that are impacted from the lawsuits.  
5

6   **Proposed Policy:** The National Association of Counties (NACo) opposes regulatory actions or bills,  
7 such as the Stop Settlement Slush Funds Act (H.R. 732), that would disallow funds derived from court  
8 settlements from being distributed to states, counties, parishes and boroughs, including those for injuries  
9 related to the environment.  
10

11   **July 23, 2017**

12   **Approved | NACo Board of Directors**

# HEALTH

## PROPOSED RESOLUTIONS

### **Proposed Resolution Supporting Amendment to 42 CFR Privacy Provisions to Allow Information Sharing Between Behavioral Health and Law Enforcement for Jail Diversion**

**Issue:** To support the development of protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to high utilizers. A high utilizer: (a) manifests obvious signs of substance abuse, mental illness, or has been diagnosed by a qualified mental health professional as having a mental illness; and (b) consumes a significantly disproportionate quantity of public resources, such as emergency, housing, judicial, corrections, and law enforcement services.

**Proposed Policy:** The National Association of Counties (NACo) supports an amendment to 42 Code of Federal Regulations (CFR) Part 2 privacy provisions to explicitly allow information sharing between behavioral health and law enforcement in order to best serve individuals with substance abuse issues.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on the Importance of the ACA and Medicaid Expansion**

**Issue:** Covering over 70 million individuals, Medicaid is the country's largest program providing health coverage and health care services to the nation's low income population. The *Affordable Care Act* (ACA) allowed states to expand their Medicaid programs, which provide billions of federal dollars to counties for indigent health care services, behavioral health services, preventative care, public health, and coordinated care.

**Proposed Policy:** The National Association of Counties (NACo) supports maintaining the Medicaid program as a means tested entitlement and further supports provisions in current law that allow for expanded program eligibility and coverage standards. NACo urges Congress and the administration not to repeal the Medicaid expansion. Maintaining the current eligibility and coverage under the current program is essential for maintaining a strong federal-state-local partnership that underpins our nation's health system.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Extend Federal Medical Payments to Detainees in County Jails who are Pre-adjudicated**

**Issue:** Extending federal Medicaid payments to detainees in county jails who are pre-adjudicated.

**Proposed Policy:** Seek a federal legislative change to require the federal Medicaid program to contribute the federal Medicaid match for health and mental health care that is provided while a pre-adjudicated detainee is actually incarcerated.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Extend the New Medicaid IMD Payment Provisions**

**Issue:** Extending New CMS IMD Provisions to Non-Managed Care Entities

**Proposed Policy:** Request that CMS extend the new Medicaid IMD payment provisions permitting up to 14 days per month of inpatient/residential care to IMD organizations that are not part of Medicaid managed care systems.

**July 23, 2017**

**Approved | NACo Board of Directors**

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

**Issue:** Organ transplant programs are being flagged by the Centers for Medicare and Medicaid Services (CMS) for having under 95 percent survival rates.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress and CMS to reduce the number of organ transplant programs being flagged. Lowering the number of programs being flagged would allow these organ transplant programs to accept more marginal organs for transplant.

**July 23, 2017**

**Approved | NACo Board of Directors**

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

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

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**



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

**Issue:** Treatment providers for substance abuse disorders are not always fully aware of what the Health Insurance Portability and Accountability Act (HIPAA) does/does not allow when 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:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

## Proposed Resolution to Prohibit Insurers from Denying Health Benefits to Preadjudicated Persons

**Issue:** Private insurance companies’ “inmate exclusion” shifts health care costs from preadjudicated inmates to counties.

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

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

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

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

**July 23, 2017**

**Approved | NACo Board of Directors**

## Proposed Resolution Urging CMS to Remove Barriers that Hinder Improving Nursing Home Culture

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

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

## Proposed Resolution to Support 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:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed 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.

**July 23, 2017**

**Approved | NACo Board of Directors**

1                   **Proposed Resolution Supporting Local Efforts for Mobile Support Teams**  
2

3   **Issue:** Address the need for local health departments' mobile support teams to work closely with law  
4 enforcement agencies to promote safety and emotional stability when a behavioral health crisis occurs.  
5

6   **Proposed Policy:** The National Association of Counties (NACo) supports legislative efforts at the  
7 federal and state levels to fully fund and promote mobile support teams within a local health department.  
8 NACo urges federal and state matching funds to maximize financial support for local jurisdictions in  
9 implementing mobile support teams.  
10

11   **July 23, 2017**

12   **Approved | NACo Board of Directors**

# HUMAN SERVICES AND EDUCATION

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change to Allow Electronic Visitation of Older Foster Youth

#### Under CHILDREN’S SERVICES:

#### Section B. Child Welfare Services, 1. Foster Care, Guardianship and Adoption Assistance, add (eleventh bullet):

Allowing child welfare staff to conduct visits through computer technology, rather than in-person, with older youth (over 18 years of age) in extended foster care who are attending college out of state or connecting with relatives.

**July 23, 2017**

**Approved | NACo Board of Directors**

### Proposed Platform Change to Clarify and Expand NACo Policy on the Supplemental Nutrition Assistance Program (SNAP)

#### Under SELF-SUFFICIENCY PROGRAMS, edit to read as follows:

**D. Supplemental Nutrition Assistance Program (SNAP):** The SNAP program provides nutrition assistance funding to low income families and individuals to support better support healthy and adequate eating habits. SNAP is critical to struggling families and has proven to be one of the most countercyclical federal programs because benefits can reach families quickly during economic downturns as well as natural disasters. The program serves diverse populations with a wide range of needs, and is administered by counties in a variety of states across the country. NACo supports moving a SNAP reauthorization in conjunction with a reauthorization of the Farm Bill.

- 1. Program and Funding Structure:** NACo supports the current SNAP entitlement program and funding structure, including maintaining the 50 percent federal administrative match for states given that counties contribute to the administrative costs of the SNAP program in many county-administered states. SNAP should not be block granted, since such a policy change would place additional strain on both recipients and state and local governments. As the introductory statement states, SNAP is indeed a very responsive countercyclical program, as evidenced by the large increases in SNAP participants during the great recession in the late 2000’s and early 2010’s. Block granting would seriously undermine that responsiveness, leaving struggling families with less access to food and further weakening the economy since SNAP families redeem their benefits quickly and locally. Moreover, counties would see shifts in costs to support those households if the already low benefit is reduced under a block grant.

## 2. Streamlining SNAP

- a. **Administratively and Across Programs:** NACo encourages Congress to increase the options available to state and local administrative bodies in streamlining applications and administrative processes. Local social services departments see many individuals and families that are eligible for multiple programs, but requirements are often slightly different for each program, generating significant work for staff and applicants alike. All states should be allowed to seamlessly enroll Supplemental Security Income (SSI) participants in the SNAP program. In general, as additional programs are streamlined, barriers to entry for participants should be reduced, and Congress and states should not make the most restrictive elements of each program the qualifications required for approval.
- b. **For Recipients:** Congress and the U.S. Department of Agriculture Food and Nutrition Service (FNS) should work to reduce “churn” – the rolling of recipients on and off of the program – in the SNAP program, which can be a burden for recipients and administrators alike. Administration and application processes should be simplified to allow individuals reapplying for benefits to enter a streamlined process, reducing the time between application and receiving benefits while also reducing administrative costs.

3. **Importance to Children:** Proper nutrition is crucial to high quality early childhood development goals and ensures children are mentally and physically prepared to learn when entering school. SNAP benefits for families should be at an adequate level so that all children have healthy diets.

4. **Work Requirements and Time Limits:** NACo opposes arbitrary and counterproductive work and participation requirements and supports a strong county role in mutually negotiated outcome measures in which states are judged by their progress toward achieving agreed upon goals. NACo supports greater flexibility in the SNAP work requirements in order to allow counties and states to meet the individual needs of their caseloads.

- a. **SNAP Employment and Training (SNAP E&T) Program:** NACo supports enabling individuals to find and secure long-term employment and encourages Congress to acknowledge the reality that for time-limited assistance to be successful, it must be accompanied by adequate federal and state funding for a wide range of supportive services. The SNAP E&T program should receive more realistic funding levels from the federal government to ensure states and counties have the proper resources to assist individuals in finding work and remaining employed, including increasing the reimbursement rate, since SNAP E&T is an employment program. SNAP E&T should also be further integrated with existing workforce programs at the federal, state and local level, including local workforce development boards.
- b. **Able-Bodied Adults Without Dependents (ABAWDs):** In addition to the increased reimbursement rates for employment programs, NACo supports lengthening the time limit for ABAWDs and making the work requirements more flexible. Often, rapid attachment employment programs are short term, and individuals who find work do not remain employed because they have not developed the required skills. Allowing for increased training and an extended time limit would make employment goals more

1 realistic. Additionally, NACo supports a tax incentive for employers who hire ABAWD  
2 SNAP participants for 20 hours or more each month, which could be increased based on  
3 the number of ABAWD participants hired. NACo also supports allowing counties in  
4 county-administered states to apply for a waiver for the ABAWD time limits if the state  
5 does not apply for a state-wide or partial waiver.  
6

- 7 **5. Disqualifications:** Lifetime disqualification from the SNAP program can have a lasting effect  
8 not just on the individual, but also on his or her family. NACo supports additional flexibility in  
9 disqualification determinations for states and local governments. NACo also supports lifting the  
10 lifetime ban on individuals with felony drug convictions in all states.  
11
- 12 **6. Phasing-out of benefits:** Recipients of federal benefits programs often face a financial “cliff” as  
13 they gain employment – the boundary line at which point individuals or families lose benefits  
14 given their rise in income. NACo urges Congress to consider gradual phase outs of certain  
15 programs, including SNAP, to ease the transition from benefits to income, especially for  
16 families.  
17
- 18 **7. Rural Solutions:** NACo urges Congress and the Food and Nutrition Service to pursue solutions  
19 that address the specific obstacles rural communities face in ensuring access to food and healthy  
20 eating habits in rural areas, which often lack access to healthy food options. States with large  
21 rural populations and rural counties should be afforded additional flexibility in the administration  
22 of the SNAP program to help combat these challenges.  
23
- 24 **8. Use of Technology:** Among federal benefits programs, SNAP is already a leader in innovation  
25 and simplification of benefits, including the use of SNAP EBT cards. The federal government  
26 should continue to play a leading role in developing technology that makes program  
27 administration more seamless. By pioneering advances at the federal level, the program would be  
28 streamlined in states and local jurisdictions across the country.  
29
- 30 **9. Program Integrity:** NACo supports the goals of maintaining low levels of fraud and error rates  
31 within the SNAP program. Counties believe that a federal commitment to streamlining the  
32 program, increased technological advances, and additional flexibility to eliminate systemic  
33 program issues (including program churn) will help achieve this goal.  
34

35 **July 23, 2017**

36 **Approved | NACo Board of Directors**

## PROPOSED RESOLUTIONS

### **Proposed Resolution to Support Full Funding for the Community Services Block Grant (CSBG)**

**Issue:** The Administration's Fiscal Year 2018 budget proposal calls for the elimination of the Community Services Block Grant (CSBG).

**Proposed Policy:** The National Association of Counties (NACo) supports full funding for the Community Services Block Grant.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution Opposing the Elimination of the Social Services Block Grant (SSBG)**

**Issue:** The Administration's Fiscal Year 2018 budget proposal calls for the elimination of the Social Services Block Grant (SSBG).

**Proposed Policy:** The National Association of Counties (NACo) strongly supports SSBG and opposes any efforts to eliminate or reduce its funding.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Fully Fund and Update the Temporary Assistance for Needy Families (TANF) Block Grant**

**Issue:** The Temporary Assistance for Needy Families Block Grant (TANF) program expires at the end of the fiscal year and the Administration's Fiscal Year 2018 budget proposal would cut the block grant by ten percent and eliminate the Contingency Fund.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to reject the Administration's proposed ten percent cut to the Temporary Assistance for Needy Families (TANF) program and the accompanying proposal to eliminate the \$608 million Contingency Fund. NACo also urges that a reauthorization of the current TANF program provide greater state and county flexibility to create and provide services that support families and help move them off welfare, including allowing more flexibility in TANF program design such as allowing higher education to count as work; realistic time limits on education; allowing states to use TANF funds to support post-secondary educational expenses; giving states and TANF recipients partial credit for part-time work and giving states the option to include participation of working, timed-out parents whose children are receiving aid in the state's work participation rate calculation. 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 but not at the expense of existing funding for the TANF block grant or contingency fund. Given that Congress has not increased the \$16.5 billion TANF program since its enactment in 1996, NACo urges

Congress to ensure that reauthorization includes a provision increasing TANF funds annually at an amount commensurate with the rate of inflation.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Enact the DREAM Act or Similar Legislation**

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

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

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

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

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution Supporting Two-Generation Efforts to Reduce Poverty**

**Issue:** Poverty is a national problem and requires a national solution. In order to combat the harmful impacts of intergenerational poverty, federal, state and local partners should promote new methods of addressing these issues.

**Proposed Policy:** The National Association of Counties (NACo) encourages the federal government to pursue policies that support and enable state and local jurisdictions to coordinate a two-generation approach to combat poverty. Federal efforts to reform public assistance must recognize that poverty is influenced by national economic factors that are not within the control of local or state governments, and that local and state governments are best positioned to help their citizens when federal programs are flexible and support all generations within a family.

**July 23, 2017**

**Approved | NACo Board of Directors**



## **Proposed Resolution Urging Congress to Maintain County Child Welfare Flexibility and Funding**

**Issue:** The 115th Congress may enact legislation changing federal financing of child welfare services. In January, the Family First Prevention Services Act (FFPSA) (H.R. 253) was reintroduced. Identical to last year's measure (H.R. 5456), the bill would deny Title IV-E foster care and adoption assistance eligibility to many children who are eligible under current federal and state laws, and, effective in FY 2020, provides new federal entitlement funding for optional foster care prevention services. It would also impose new federal requirements relating to congregate (group home) care that would reduce federal IV-E reimbursement and shift costs to states and counties. The FFPSA also assumes that federal IV-E waivers would expire on September 30, 2019. Waivers give counties and states flexibility to test innovative approaches to child welfare service delivery and financing. Under waivers, states design and demonstrate a wide range of approaches to reforming child welfare and improving outcomes in the areas of safety, permanency, and well-being. Finally, Congress is also considering entitlement reform, including block granting health and human services programs such as Title IV-E foster care which would shift costs to states and counties.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to amend the Family First Prevention Services Act so that it would not shift increased costs to states and counties by denying Title IV-E eligibility to children who would remain eligible for state or county-funded foster care and adoption assistance. In doing so, Congress should also provide states and counties with sufficient flexibility to serve and protect abused and neglected children as done currently under some state laws. NACo further urges that the bill's proscriptive provisions intended to reduce the use of congregate care be amended so that states and counties already proceeding with similar efforts may continue to do so. Additionally, Congress should extend federal IV-E waiver authority through September 30, 2024 unless comprehensive child welfare finance reform that reflects NACo's priorities is passed and implemented before that time. Finally, NACo opposes any congressional effort to block grant IV-E foster care financing.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution to Repeal and Reform the Social Security COLA Formula**

**Issue:** The current formula for determining the Social Security's Cost of Living Adjustment (COLA) is not accurately reflecting many of the expenses that have gone up for recipients. The COLA Formula, which is designed to reflect increases in the cost of living, had a zero COLA adjustment for Social Security benefits in 2016 and a 0.3 percent in 2017.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to repeal and reform the Social Security Cost of Living Adjustment (COLA) Formula to ensure that the program properly accounts for the true cost of living of Social Security Benefits recipients – many of whom rely solely on these benefits to provide for their everyday needs.

**July 23, 2017**

**Approved | NACo Board of Directors**

1 **Proposed Resolution to Oppose the Proposed FY 2018 Budget Cuts to the Supplemental Nutrition**  
2 **Assistance Program (SNAP)**

3  
4 **Issue:** The Administration's Fiscal Year (FY) 2018 budget proposes an average 25 percent cut in the  
5 federal contribution to Supplemental Nutrition Assistance Program (SNAP) benefits by 2023 and other  
6 administrative changes resulting in a reduction of \$194 billion in federal contributions to SNAP over ten  
7 years. SNAP is critical to struggling families and has proven to be one of the most effective  
8 countercyclical federal programs because benefits reach families quickly during economic downturns as  
9 well as natural disasters.

10  
11 **Proposed Policy:** The National Association of Counties (NACo) opposes the Administration's FY 2018  
12 proposed cuts to the Supplemental Nutrition Assistance Program (SNAP) which would ultimately shift  
13 25 percent of the benefit costs to states and counties and/or reduce benefit levels.

14  
15 **July 23, 2017**

16 **Approved | NACo Board of Directors**

17  
18 **Proposed Resolution to Support Full Funding for the Low-Income Home Energy Assistance**  
19 **Program (LIHEAP)**

20  
21 **Issue:** The Administration's FY 2018 budget proposal calls for the elimination of the Low-Income  
22 Home Energy Assistance Program (LIHEAP).

23  
24 **Proposed Policy:** The National Association of Counties (NACo) supports full funding for Low Income  
25 Home Energy Assistance Program.

26  
27 **July 23, 2017**

28 **Approved | NACo Board of Directors**

29  
30 **Proposed Resolution to Support Current Funding Structure of the Head Start Program**

31  
32 **Issue:** Efforts to alter the current funding delivery structure of the Head Start Program.

33  
34 **Proposed Policy:** The National Association of Counties (NACo) supports the existing Head Start  
35 funding delivery structure under which federal government directly delivers funding to local levels of  
36 government and opposes any efforts to alter that current funding structure.

37  
38 **July 23, 2017**

39 **Approved | NACo Board of Directors**

# JUSTICE AND PUBLIC SAFETY

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change on Victims of Domestic Violence

#### Under CRIMINAL JUSTICE SYSTEM:

**L. Victims of Domestic Violence:** NACo supports federal legislation that encourages a comprehensive approach to domestic and intimate partner violence ~~against women~~ that incorporates offender accountability and programs for victims' services. County governments are urged to develop a broad-based system of response to domestic violence including financial support for shelters, crisis lines, and other programs offering advocacy, support and counseling, public education and prevention activities, safety for victims of crime and emergency medical services. County officials are also urged to examine the response of various criminal justice agencies to cases of domestic violence. Law enforcement and prosecutorial policies and practices should ensure the protection of the victim and reflect the serious criminal nature of acts of domestic violence. County governments are encouraged to incorporate non-gender specific language regarding both the victim and the perpetrator to recognize that domestic and intimate partner violence knows no bounds of sexual orientation, gender identify, or gender expression.

July 23, 2017

Approved | NACo Board of Directors

## PROPOSED RESOLUTIONS

### Proposed Resolution on Facilitating Diversion of Individuals struggling with Substance Use Disorder from Jails to Treatment by Promoting Parity in Health Information

**Issue:** Currently, use and storage of health information is governed by both the Health Insurance Portability and Accountability Act of 1996 (HIPAA) for physical and mental health information, and by HHS Rule 42 CFR Part 2 for alcohol or drug abuse diagnosis, treatment, or treatment referral. In an era where data-driven decisions and evidenced-based programming are best practices, sharing of data among entities becomes highly complicated for patients who have both a physical and/or mental health diagnosis and a co-occurring substance use disorder.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress and the department of Health and Human Services to:

- Develop, implement, and codify a standard set of rules for sharing, accessing, and storing all patient health information that brings substance abuse disorder to parity with physical and mental health conditions.
- Implement rules which protect patient rights and prevent inappropriate use and distribution of health information in the least restrictive and most consistent manner possible.
- Create, certify, and distribute language which can be used universally to allow patients to release and disclose health information to improve the quality of healthcare and improve the efficiency and effectiveness of health care delivery.

- Implement clear exemptions for use by law enforcement, first responders, hospital ER staff, and front-line mental health and substance abuse workers to enable real-time access to health information which can be used to make emergency decisions regarding incarceration or diversion to crisis detoxification and mental health evaluation.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on Restoring Equity in Medicaid Coverage to Pretrial Inmates in County Jails**

**Issue:** Under current law (Centers for Medicare & Medicaid Services, HHS § 435.1009, 1010), “Individuals who are inmates of public institutions” are not eligible to receive Medicaid federal financial participation (FFP), even though these individuals have not been adjudicated guilty of the crime with which they have been charged and for which they are being held in incarceration.

**Proposed Policy:** The National Association of Counties (NACo) urges the department of Health and Human Services to:

- Allow states and counties to use FFP to work with Medicaid providers to identify patients in county jails who are receiving community-based care and then to maintain their treatment protocols.
- Allow states and counties to use FFP for Medicaid providers to work with county jails to develop treatment and continuity of care plans for released or diverted individuals.
- Allow states and counties to use FFP to initiate medication-assisted therapy or other forms of medically necessary and appropriate intervention for jailed individuals whose release is anticipated within 30 days.
- Allow states and counties to use FFP to reimburse peer counselors to facilitate reentry and increase jailed individuals’ health literacy.
- Allow states and counties to waive the state-wide requirement in order to permit implementation of the new Inmate Waiver in counties with the capacity and desire to implement and test the demonstration projects.

NACo further supports legislation such as S.2863, introduced in the 114<sup>th</sup> Congress, to permanently codify equity in pretrial Medicaid coverage to non-convicted inmates in county jails and facilities.

**July 23, 2017**

**Approved | NACo Board of Directors**

1                   **Proposed Resolution Supporting Adequate Funding for Civil Legal Services**

2  
3 **Issue:** President Trump is proposing steep budget cuts and elimination of civil legal services.  
4

5 **Proposed Policy:** The National Association of Counties (NACo) supports continued adequate funding  
6 for civil legal services to promote fair and efficient operation of our nation’s county courts by funding  
7 local civil legal aid organizations in every state.  
8

9 **July 23, 2017**

10 **Approved | NACo Board of Directors**

11  
12                   **Proposed Resolution Urging Continued Federal Support for Local and State Efforts to Reduce**  
13                   **Rates of Opioid Dependence, Overdose and Fatalities**  
14

15 **Issue:** County agencies throughout the country are struggling to find sufficient resources to provide the  
16 treatment, recovery and prevention services needed to stem the tide of the opioid epidemic and the  
17 disease of substance dependence.  
18

19 **Proposed Policy:** The National Association of Counties (NACo) urges Congress to continue its support  
20 for local and state efforts to reduce dependence on opioids and all other addictive substances, overdose  
21 and fatalities in local communities by providing additional emergency supplemental funding through  
22 existing federal grant programs.  
23

24 **July 23, 2017**

25 **Approved | NACo Board of Directors**

26  
27                   **Proposed Resolution Supporting the Emergency Management Performance Grant Program**  
28

29 **Issue:** The Emergency Management Performance Grant (EMPG) is the sole all-hazards grant currently  
30 extant, and the most demonstrably successful DHS grant program. However, in light of state funding  
31 shortfalls, state Emergency Management Agencies have reduced the amounts of EMPG funding passed  
32 through to local government in many places, often with little or no input from or notice to counties. The  
33 President has proposed drastic reductions in the EMPG program. Such reductions will compromise the  
34 capabilities of emergency management agencies nationwide and their capacity to render assistance to  
35 each other as part of the national response to major incidents.  
36

37 **Proposed Policy:** The National Association of Counties (NACo) requests that Congress guarantee that  
38 the Emergency Management Performance Grant (EMPG) remain a separate program, separately funded  
39 from all other grants that specifically address terrorism or other specific issues (remaining, then, a truly  
40 all-hazards program), at or above current funding levels, and require that a minimum of 70 percent of  
41 EMPG funds be passed through to local government with a 50-50 match requirement.  
42

43 **July 23, 2017**

44 **Approved | NACo Board of Directors**

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

**Issue:** The nation's capability to response to major catastrophes and acts of terror is based on the ability of local public safety programs to provide assistance to each other. The President has proposed major reductions in the Homeland Security and Emergency Management grant programs and addition of match requirements that cannot be sustained by most jurisdictions. If enacted, the cuts and match requirements will make it impossible for most counties to sustain or build capability that is needed to ensure local resistance and the ability to send aid to other jurisdictions. Consolidation of Homeland Security and Emergency Management grants into block grants, particularly if these grants are administered solely by the states, will decrease local resilience and negatively impact national preparedness for disasters and emergencies of all types.

**Proposed Policy:** The National Association of Counties (NACo) requests that Congress continue to provide adequate grant funding to build and sustain the nation's homeland security and emergency management capabilities. NACo continues to oppose the complete consolidation of the existing Homeland Security and Emergency Management grant programs into block grant programs, and requests that Congress mandate that the Department of Homeland Security (DHS) and Federal Emergency Management Agency (FEMA) actively include county Emergency Managers in creating alternatives that will better address the needs of all levels of government and that does not discard the advances gained through past grants.

NACo asks that Congress preserves, maintains, and enhances the Emergency Management Performance Grant and other all-hazard grants related to disaster recovery and mitigation as separate, fully funded programs.

NACo asks that Congress works with DHS and FEMA to ensure that Homeland Security and Emergency Management grant programs address realistic risks from all hazards including, but not limited to, terrorism. State Administrative Agencies must make grant related prioritization decisions in transparent consultation and with the consent of local governments, and Congress should continue to require that no less than 80% of these funds be passed to local government in each state based on their realistic risk.

NACo asks Congress to require DHS to maintain the Urban Area Security Initiative (UASI) specific funding to the 35 urban areas at greatest risk of disastrous event from all hazards, including terrorism. In light of the significant populations, density, infrastructure and economic drivers of these areas and the fact that the populations of large urban counties and cities are often least able to financially address these risks without federal assistance. The UASI program should remain jointly administered by the State Administrative Agency and the existing UASI organizational units and continue 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.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution on FEMA’s Deobligation of Approved Disaster-Relief Funds**

**Issue:** Since 2010, the Federal Emergency Management Agency (FEMA) has aggressively sought to recover and deobligate 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’ ability to accept disaster-relief funds.

**Proposed Policy:** The National Association of Counties (NACo) supports legislation that would establish a 3-year statute of limitation on deobligation of FEMA Public Assistance funds from the date a project is certified complete by the state (grantee).

The National Association of Counties (NACo) also 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;
2. FEMA makes timely decisions on appeals filed by counties that face the potential rescission of previously appropriated federal funds; and,
3. Precludes FEMA from immediately rescinding previously obligated funds from the grantee, once the subgrantee has stated its intent to appeal, in a timely fashion, FEMA’s decision.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution to Modify the “Individual Assistance” Criteria Used by the Federal Emergency Management Agency (FEMA) to Ensure that Rural Residents are Treated in a Fair and Equitable Manner**

**Issue:** Current FEMA criteria requiring “concentration of damage” for access to Individual Assistance Programs and its impact on rural residents.

**Proposed Policy:** FEMA and/or Congress should take immediate action to modify existing “concentration of damage” criteria for Individual Assistance Programs, so that these criteria do not unjustly deny rural residents critically needed access to Individual Assistance Programs.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution on the National Flood Insurance Program and the Endangered Species Act**

**Issue:** The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP). The National Marine Fisheries Service (NMFS) has issued Biological Opinions in several states (Washington and Oregon) under the Endangered Species Act (“ESA”) mandating that FEMA make significant changes to its floodplain mapping program and how it regulates floodplains. Many of these changes would be directly applicable in all NFIP participating communities, and would severely restrict (and, in some cases, prohibit) development in the floodplain in an effort to protect listed species.

**Proposed Policy:** NACo recommends that to the extent FEMA implements the Reasonable and Prudent Alternatives (RPAs) set forth in either of the NMFS' Biological Opinions, FEMA should undertake such implementation only after extensive input from local and state governments. NMFS's Biological Opinions fails to consider existing local land use laws and ordinances, which need to be evaluated in order to understand the protections that are already in place for ESA listed species and designated critical habitat. NACo recommends that FEMA does not unnecessarily overreach in its implementation stage.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on National Flood Insurance Program Reauthorization and Program Improvements**

**Issue:** County priorities in the reauthorization of the National Flood Insurance Program.

**Proposed Policy:** NACo urges congressional committees of jurisdiction to include local and state stakeholders in the process of drafting legislation to craft an affordable and sustainable reauthorization of the National Flood Insurance Program, the current authorization of which is set to expire in 2017.

NACo's positions on the following issues are as follows:

- Enhancing National Flood Insurance Program Solvency and Sustainability
- Enhancing Flood Insurance Affordability and Accessibility
- Reducing Premium Costs Through an Agreed Value Pilot Program
- Providing Private Market Access, Accountability and Competition
- Modernizing Flood Mapping and Flood Risk Accuracy
- Enhancing National Flood Insurance Program Transparency and Accountability

Specifically:

- **Rates** – should be publicly disclosed and affordable and developed in a transparent manner. Section 205 (Pre-FIRM) subsidies should be applied to all categories of property, including second homes and businesses;
- **Program Administration** – Write Your Own (WYO) payments must be capped, and risk should be spread by increasing the pool of policyholders through enforcement, incentivizing sales methods, and expansion of the Preferred Risk Policy;
- **Affordability** – preserve grandfathering regardless of the time of map adoption, preserve the reserve fund set-aside and change the 1 percent limit on premium to coverage ratio to a hard cap. If rates must rise, ensure that the rate of increase does not exceed five percent per year on any policy, inclusive of surcharges and fees;
- **Privatization** – require private insurers to reflect the entire spectrum of risk (i.e. no cherry-picking of preferable policies);



- **Mapping** – should be transparent, fair to local communities and include input from local governments; appeal caps must be lifted and a method to pay for mapping elevations should be developed; mapping should utilize the most effective technology available.
- **Mitigation** – funding for mitigation should be increased, and NFIP premiums should be allowed to count as community and homeowner mitigation efforts; oppose unfunded mandates to local governments for mitigation efforts;
- **Consumer Protection** – a policy review process should be created, Flood Insurance Advocates should be regionalized, and Force-Placing provisions should be amended to keep policyholders in NFIP instead of surplus lines

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution Supporting Continued Provision of Mitigation Funds for Certain Areas Affected by Wildfires**

**Issue:** Support for Continued Provision of Mitigation Funds for Certain Areas Affected by Wildfires

**Proposed Policy:** The National Association of Counties (NACo) supports allowing using Fire Mitigation Assistance Grant (FMAG) funds to provide grants to Counties that can be used for post-fire flooding mitigation; and pre-fire mitigation for protection of natural resources and Wildland-Urban-Interface (WUI) areas to help reduce the severity of fires before they happen.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (NACo) urges the President and Congress direct all federal agencies to engage NACo and state and local government agencies prior to implementation of Executive Order 13690.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution Supporting the Reauthorization of the Assistance to Firefighters Grant Program, Including the Safer Grant Program**

**Issue:** U.S. Department of Homeland Security grant programs that support local fire departments.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to reauthorize the U.S. Department of Homeland Security’s Assistance to Firefighters Grant program, including the SAFER grant program, so that local fire departments can continue to receive federal support for their efforts to provide all-hazards response to their communities.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (NACo) urges the U.S. Senate to approve S. 860 or similar legislation reauthorizing the Juvenile Justice and Delinquency Prevention Act (JJDPA), and to conference approved legislation with H.R. 1809, the legislation passed in the U.S. House of Representatives to reauthorize JJDPA.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (NACo) supports all legislation in the U.S. House of Representatives and the U.S. Senate that would reduce tax crimes and identity theft and would halt the victimization of millions of U.S. taxpayers through losses due to several billion dollars in fraudulent claims. Such 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,

1 coordinate investigations with state and local law enforcement agencies, and protect vulnerable victims,  
2 including veterans, seniors and minors. The legislation would increase penalties to help deter this type of  
3 crime and protect victims.

4  
5 **July 23, 2017**

6 **Approved | NACo Board of Directors**  
7

8 **Proposed Resolution Urging Congress to Provide Full Funding for the Mentally Ill Offender**  
9 **Treatment and Crime Reduction Act**

10  
11 **Issue:** Improving access to mental health services for people in the criminal justice system that need  
12 treatment.

13  
14 **Proposed Policy:** The National Association of Counties (NACo) urges appropriators in Congress to  
15 provide full funding for the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA),  
16 which assists local efforts that aim to improve access to mental health treatment for individuals who  
17 come into contact with the criminal justice system.

18  
19 **July 23, 2017**

20 **Approved | NACo Board of Directors**  
21

22 **Proposed Resolution to Support Programs Preventing Human Trafficking**

23  
24 **Issue:** Human trafficking is a modern form of slavery that affects every community across our country.

25  
26 **Proposed Policy:** The National Association of Counties (NACo) supports legislation and programs  
27 designed to prevent trafficking, protect victims, prosecute traffickers, and create partnerships across all  
28 levels of government, the private sector, and international agencies in order to enhance the collection,  
29 use and sharing of data. NACo supports victim centered and trauma informed programs designed to  
30 meet the needs of the victim including safe housing, mental health assistance and access to education.

31  
32 NACo also supports programs that eradicate the root causes of vulnerability among trafficking victims -  
33 poverty and discrimination. Furthermore, NACo supports programs that strengthen our legal network  
34 and those that provide training opportunities for local government employees and their agents on  
35 recognizing the signs of trafficking including government inspectors, law enforcement, criminal justice,  
36 health care, transportation and public transit, educational partners, and employees working with  
37 vulnerable populations.

38  
39 **July 23, 2017**

40 **Approved | NACo Board of Directors**  
41

42 **Proposed Resolution on Improving Pretrial Justice**

43  
44 **Issue:** Confinement of county and regional pretrial detainees who do not present an unmanageable risk  
45 of failure to appear or a threat to public safety, but do lack the financial means to secure release.  
46

**Proposed Policy:** The National Association of Counties (NACo) urges the Department of Justice to continue efforts to advise state, county and municipal courts to acknowledge that the principles of due process and equal protection require that courts not employ bail and bond practices that cause indigent defendants to remain incarcerated even for a few days solely because they cannot afford to pay for their release.

NACo further urges DOJ to advise that all county or state pretrial justice systems:

1. Promote and support the adoption of evidence-based risk assessment completed prior to initial appearance and risk management strategies in setting of non-monetary and least onerous conditional release bail determination;
2. Eliminate practices that cause defendants to remain incarcerated even for a few days solely because they cannot afford to pay for their release;
3. Call for the elimination of commercially secured bonds at any time during the pretrial phase;
4. Call for the shift from secured to unsecured money bond at any time during the pretrial phase;
5. Promote and support the practice of least restrictive graduated conditions of release which can be adjusted according to the compliance or non-compliance of the individual;
6. Call for the ability of every judge to conduct a preventive detention hearing with full due process protections so that detention eligible defendants are detained under accepted evidentiary standards;
7. Promote judicial training and development that addresses how best practices and identifying sources of implicit bias can reduce racial and gender disparities.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Support National Standards for Emergency Management Programs and the Emergency Management Accreditation Program**

**Issue:** Since 2001 Congress has sought metrics for understanding the capabilities and capacities of local government to respond to, and be resilient in the face of, terrorism and other emergencies and disasters. NACo recognizes that the capacities and resources of county programs for emergency management will always vary. However, NACo has long invested time and effort into the development and maintenance of national standards for emergency management programs through involvement with the Emergency Management Accreditation Program Commission and the *Emergency Management Standard*. Use of the *Emergency Management Standard* as a measure of capability that provides a significant set of metrics for Congress and others to assess the capacity of county government to handle emergencies of all types. In addition, the EMAP *Emergency Management Standard* provides measures of capability that are independent of the size or finances of a county.

**Proposed Policy:** The National Association of Counties (NACo) supports the use of the national EMAP *Emergency Management Standard* administered through the Emergency Management Accreditation Program as a means of measuring the capability of emergency management programs. Additionally, NACo supports the current processes and procedures the EMAP Commission uses to update and evaluate the Standard. The Standard should be free from requirements not supported in the ANSI standard setting guidelines or the EMAP Commission management process. The Standard is a stand-alone document that is developed through the due process and consensus body of EMAP and should

1 have no undo influence from any outside entity imposing rules, guidelines, auditing principles within the  
2 process.

3

4 **July 23, 2017**

5 **Approved | NACo Board of Directors**

# PUBLIC LANDS

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change on Funding for Public Lands Infrastructure

**Under FEDERAL LAND MANAGEMENT, edit to read as follows:**

**N. Funding for Our Public Lands Infrastructure:** NACo calls on Congress to adequately fund infrastructure in its national parks, national forests, and other public lands. This includes funding to support roads, bridges, trails, campgrounds, visitor centers, interpretive projects, and related facilities. NACo supports at a minimum, maintaining adequate funding, and preferably increasing funding, for overdue capital and deferred maintenance projects for the National Park Service, US Forest Service, Bureau of Land Management, and other public lands agencies. NACo reminds the Congress these public lands agencies provide recreation and tourism opportunities for millions of visitors that make a substantial economic impact on our county and gateway communities. The significant federal investment in public lands infrastructure over the years is at risk due to the lack of funding for needed repair and replacement projects.

**July 23, 2017**

**Approved | NACo Board of Directors**

### Proposed Platform Change on Federal-County Receipts Sharing Under Stewardship Contracting

**Under FEDERAL LANDS PAYMENTS:**

**B. Resource Revenue Sharing Payments:**

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. This 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 they retain the historical receipts sharing with counties. **Receipts sharing should be based on the total merchantable value of the products, rather than merely the net in excess of the contract amount.**

**July 23, 2017**

**Approved | NACo Board of Directors**

### Proposed Platform Change on the Endangered Species Act

**Under FEDERAL LAND USE PLANNING:**

**B. Endangered Species Act:** NACo recognizes the importance of the Endangered Species Act (ESA) as an essential safeguard for America's fish, wildlife and plants and therefore supports updating and improving it to better achieve its goals.

NACo supports reforming the ESA to mandate that the federal government treat state and county governments as cooperating agencies with full rights of coordination, cooperation, consultation and consistency to decide jointly with appropriate federal agencies when and how to list species, designate habitat and plan and manage for species recovery and de-listing.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **PROPOSED RESOLUTIONS**

### **Proposed Resolution on Amendments to PILT Population Caps**

**Issue:** Counties, boroughs, townships, and parishes with populations under 5,000 have monetary caps within the PILT formula that place them in an unfavorable position in relation to counties with populations greater than 5,000.

**Proposed Policy:** The National Association of Counties (NACo) supports amending the PILT formula to extend the population multipliers to include additional multipliers for local governments with populations in the range of 4,000, 3,000, 2,000, and 1,000. The increase in the 4,000 multiplier when compared to 5,000 population would have the same ratios as the difference in 50,000 and 40,000 population. The increase in the 3,000 multiplier when compared to 4,000 population would have the same ratios as the difference in 40,000 and 30,000 population. This will continue for counties with populations of 1,000 or less. All local governments with enough qualified federal land acres would have a minimum payment no less than the population cap of local governments of 1,000 population.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution on Amending the Recreation and Public Purposes Act**

**Issue:** Support congressional action to amend the Recreation and Public Purposes Act to require the U.S. Department of the Interior to establish a pilot program that authorizes commercial recreation concessions on land patented or leased under the Act. Currently S.614 (Sen. Flake - AZ) has been introduced to address this issue.

**Proposed Policy:** The National Association of Counties (NACo) supports passage of S.614 or similar legislation which would allow counties which have federal lands within their park system the opportunity to offer concessions operated by third party vendors. This would increase public recreational opportunities and enjoyment of these lands operated by counties.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution on Wildland Fire Suppression Funding**

**Issue:** Fire suppression costs have steadily increased over the past several years reducing that portion of the U.S. Forest Service budget used to manage the nation's natural resources on National Forests and Grasslands.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to change the method of funding wildfire suppression on National Forests and Grasslands by providing access to funding outside of the statutory discretionary limits for emergency purposes. Further, NACo urges Congress to create a separate fire suppression emergency fund that the U.S. Forest Service can utilize for suppression activities.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed 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:** The National Association of Counties (NACo) urges Congress to amend the federal Mineral Leasing Act to clarify that the current percentage of a state's share of federal mineral lease and mineral lease bonus revenue, or 40 percent of such share, whichever is greater, shall be returned to the county of origin.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution on Salt Cedar Removal**

**Issue:** An overabundance of salt cedar in river bottoms in the southwest has negatively impacted water tables and recharge abilities. Removal or efforts to confine this invasive species are often delayed or resisted by the U.S. Army Corps of Engineers and other federal agencies.

**Proposed Policy:** The National Association of Counties (NACo) supports legislation that would allow the federal government to ease the process to allow county governments to comprehensively remove salt cedar from rivers within their jurisdiction and revegetate with native riparian plants.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution to Repair and Maintain the Public Land Survey System**

**Issue:** The Public Land Survey System (PLSS) is in a varying degree of deterioration nationwide due to the lack of resources provided to counties.



**Proposed Policy:** The National Association of Counties (NACo) urges Congress to provide additional funding to counties to support the existing Public Land Survey System. NACo further urges the federal government to enforce existing guidelines and rules for the PLSS.

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution on Secure Rural Schools; Approval of Members for Resource Advisory Committee**

**Issue:** The amount of time it takes to approve citizens as members of Resource Advisory Committees (RAC) under the Secure Rural Schools and Community Self Determination Act prevents the completion of projects in a timely manner, frustration of volunteers, and a potential for loss of funding that goes unobligated. NACo's 2017 Resolution should encourage alternative and innovative approaches that are not limited to the explicit proposals offered.

**Proposed Policy:** The National Association of Counties (NACo) urges Congress to amend the Secure Rural Schools and Community Self Determination Act to exempt Resource Advisory Committees from adherence to the Federal Advisory Committee Act, and to allow the Chief of the Forest Service to delegate appointment of citizens to Resource Advisory Committees to the appropriate Regional Forester, or Forest Supervisor. Additionally, NACo should advocate for other innovative solutions, such as thresholds on populations or budget amounts, exemptions for certain entities or quorum requirements in certain circumstances, a reduction in the size of RACs, and extension of the terms, or some combination to permanently address the inability of some RACs to meet due to lack of a quorum.

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution Opposing the Bureau of Land Management's Duplicative Hydraulic Fracturing Regulation, and Supporting the Department of the Interior's Intention to Rescind the Rule**

**Issue:** The Bureau of Land Management's (BLM) previous intent to adopt duplicative hydraulic fracturing rules has not been formally abandoned.

**Proposed Policy:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution to Cease Wilderness Characteristic Inventory in Alaska**

**Issue:** Federal Land Policy Management Act of 1976 still allows wilderness characteristic inventory in Alaska that is not allowed in the other 49 states.

**Proposed Policy:** The National Association of Counties (NACo) supports striking Section 603, 43 U.S.C. 1784. Lands in Alaska; Bureau of Land Management Land Reviews. [P.L. 96-487, title XIII, §1320, 1980] of the Federal Land Policy Management Act of 1976

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution to Allow the Public and Public Entities to Comment on Wilderness Characteristics Cataloging and Inventory by Federal Land Management Agencies**

**Issue:** Wilderness characteristics cataloging and inventory without the right of the public and public entities to comment and challenge.

**Proposed Policy:** The National Association of Counties (NACo) opposes any continuing wilderness characteristics inventory and cataloging by federal land management agencies without input and consent of impacted county governments.

**July 23, 2017**

**Approved | NACo Board of Directors**

**Proposed Resolution to Amend and Update the Endangered Species Act of 1973**

**Issue:** The ESA of 1973 has not been significantly modified in 40 years.

**Proposed Policy:** The National Association of Counties (NACo) urges the Congress of the United States to amend the ESA to reflect its intended purpose “to protect endangered species and the ecosystems which they depend” and to ensure that the rights of people are also protected.

The ESA needs to be amended in the following manner:

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 or direct the Secretary of Interior (Secretary) to share critical data, research and scientific information to assist such states and counties in their conservation efforts.
4. Direct federal land management agencies to amend their land use plans to comply with state and county-based conservation efforts.
5. Strengthen the influence of local participation so that local coordination processes and recommended species management policies are not overridden.

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 as 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 that the science used to make any determination be subject to independent and objective third party review.
10. Mandate that a listing of endangered species 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.

**July 23, 2017**

**Approved | NACo Board of Directors**

# TELECOMMUNICATIONS AND TECHNOLOGY

## PROPOSED RESOLUTIONS

### **Proposed Resolution Encouraging Congress to Undertake a Systemic Rewrite of the Telecommunications Act of 1996**

**Issue:** The Federal Telecommunications Act has not been updated by congress since 1996. Since that time, there have been substantial changes in not only the telecommunications technology in use but the also the manner it is used in daily life. The lack of congressional attention to this matter has placed an inordinate burden on the FCC to set policy that is better suited to our elected representatives.

**Proposed Policy:** The National Association of Counties (NACo) believes that the time has come for Congress to engage in a systemic rewrite of the Telecommunications Act of 1996. We believe this action is necessary to realign the telecommunications policies of the United States to match current and developing technologies.

Additionally we believe that NACo can be a valuable resource during this process due to our unique relationship with this issue. NACo and its members are not only critical users of these telecommunications systems, elected representatives of the consumers of these systems, facilitators of deployment of these systems but also in some state regulators of these systems.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed 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:** The National Association of Counties (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.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution of Support of the Recommendations of the Broadband Opportunity Council**

**Issue:** The Broadband Opportunity Council studied ways to reduce barriers to broadband deployment created by Federal Regulations and is now in the implementation phase of the effort. It is important to America's counties that this implementation effort continue under the new administration.

**Proposed Policy:** The National Association of Counties (NACo) supports the implementation of the report generated by the Broadband Opportunity Council (BOC). This report outlines ways to reduce federal regulatory barriers to the ongoing deployment of broadband capability throughout the nation.

1 Additionally, we encourage the Federal government to facilitate the use of publicly held infrastructure  
2 via lease and partnership arrangements with the private sector to increase the deployment of Broadband  
3 to underserved areas. This is especially important in relation to any additional federally funded build out  
4 required to meet FirstNet's Public Safety requirements.

5  
6 **July 23, 2017**

7 **Approved | NACo Board of Directors**  
8

9 **Proposed Resolution to Clarify NACo's Telecommunications and Technology policies and**  
10 **practices apply to "Small Cell" and "DAS" Technologies and to Oppose Efforts to Preempt**  
11 **County Rights at the Federal or State Level**  
12

13 **Issue:** The National Association of Counties (NACo) must clarify that its Telecommunications and  
14 Technology policies and practices apply to new small cell technologies or shared wireless infrastructure  
15 technologies such as distributed antennae systems (DAS) as there are proceedings at the FCC,  
16 legislation being considered in Congress and legislative and regulatory actions at the state level that seek  
17 to preempt local authority over the siting of small cell and DAS technologies.  
18

19 **Proposed Policy:** The American County Platform and Resolutions, specifically those Subsections listed  
20 below, shall be read to apply to all wireless technologies regardless of their size and where within a  
21 county those technologies are deployed, including rights-of-way.  
22

23 **July 23, 2017**

24 **Approved | NACo Board of Directors**  
25

26 **Proposed Resolution Encouraging Congress to Pass Legislation that Would Ensure Local 911**  
27 **Service Fees are Only Used for Emergency Communications**  
28

29 **Issue:** Funding for 911 comes for a variety of sources, including monthly fees that are set by the state  
30 and paid on consumers' telephone bills. Yet this rate may vary by phone type within a state. As  
31 consumers shift their telecommunications preferences from wired to wireless phones, some states have  
32 seen a dramatic decrease in dedicated 911 funding as existing statutes have not been updated to account  
33 for these shifts. Subsequently, it is not uncommon for the revenue from 911 fees to fall short of the cost  
34 of running a 911 call center, also known as a public safety answering point (PSAP). Additionally, many  
35 states collect 911 fees and remit the revenues to local governments. However, in 2015 over \$220 million  
36 in 911 fees were diverted by states throughout the country for purposes other than maintaining and  
37 upgrading PSAPs. As counties receive less in dedicated 911 revenue due to both states withholding  
38 funds and shifts in telecommunications preferences they must turn to general fund money.  
39

40 **Proposed Policy:** The National Association of Counties (NACo) encourages Congress and the Federal  
41 Communications Commission (FCC) to adopt legislation, or take regulatory action that ensures that fees  
42 collected for local 911 services are only used to repair, replace or improve communications technology  
43 at our nation's public safety answering points or 911 call centers.  
44

45 **July 23, 2017**

46 **Approved | NACo Board of Directors**

# TRANSPORTATION

## PROPOSED PLATFORM CHANGES

### Proposed Platform Change to Include Unmanned Aerial System (UAS) Language

Under **COORDINATION AND CONNECTIVITY**, add:

#### **E. County Role in Unmanned Aerial Systems (UAS) Regulations**

Counties shall have the authority to regulate certain aspects of Unmanned Aerial System (UAS) operations to ensure public safety and privacy. These aspects would include, but not be limited to: certain lower levels of altitude, time-and-day of operation restrictions and enforcement capabilities.

NACo urges the Federal Aviation Administration (FAA) and Congress to allow for local governments to be able to govern certain UAS capabilities and work in collaboration with local governments to ensure the safety of the national airspace as UAS technology is further integrated.

**July 23, 2017**

**Approved | NACo Board of Directors**

## PROPOSED POLICY RESOLUTIONS

### Proposed Resolution in Support of Fully Funding Federally Mandated Local Airport Security

**Issue:** Pursuant to 49 U.S.C. § 44903(c) and 49 C.F.R. Part 1542, Airport operators are required to establish an air transportation security program that provides a law enforcement presence and capability at the airport that is adequate to ensure the safety of air passengers. This program is part of the cooperative effort between TSA and airports to support deployment of sufficient law enforcement officers, by airports, to ensure passenger safety and counter risks to transportation security. Local Airport Authorities are receiving insufficient funding from the Transportation Security Administration to cover the cost of locally employed law enforcement officers for airport security.

**Proposed Policy:** Increase the federal funding allocated for the Transportation Security Administration Law Enforcement Reimbursement Program so that the maximum reimbursement rate may be increased to cover the local airport's actual cost of (non-TSA) law enforcement officers employed by the local airport to fulfill federally mandated airport security requirements.

**July 23, 2017**

**Approved | NACo Board of Directors**

## **Proposed Resolution Supporting Indian School Bus Routes**

**Issue:** Poor maintenance of dirt school bus routes on Indian reservations prevents students from getting to school and contributes to the Native American absentee rate that is four times that of non-Native students.

**Proposed Policy:** The National Association of Counties (NACo) urges the improvement of dirt school bus routes on Indian reservations through three key measures: 1) increasing annual funding for the Bureau of Indian Affairs (BIA) Road Maintenance Program (RMP); 2) Prioritizing additional RMP funds for dirt school bus routes on Indian reservations that are persistently impassable; and 3) Including counties in tribal roads meetings hosted by the BIA and Office of Federal Lands Highway.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution in Support of Direct Funding to Local Governments for the Improvement and Maintenance of Local Roads in America within the Proposed Infrastructure Spending Bill**

**Issue:** Include direct funding for roads owned and operated by local governments to address America's rapidly deteriorating transportation network and create jobs.

**Proposed Policy:** The National Association of Counties (NACo) urges the president and Congress, through the proposed infrastructure spending bill, to create dedicated funding allocated directly to local governments for the improvement and maintenance of local road and bridge infrastructure in America.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution in Support of Eliminating Regulatory Impediments for Effective Delivery of Federal Aid Projects**

**Issue:** Elimination of Regulatory Impediments to the Effective Delivery of Federal Aid Projects

**Proposed Policy:** The National Association of Counties (NACo) urges the President and Congress to implement measures that would eliminate regulatory impediments on local and state sponsored federal aid projects to achieve our shared goals of strengthening transportation networks, improving public safety and advancing our economic competitiveness.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Establish NACo's Legislative Position for United States Department of Transportation's Budget Appropriation for Full Year 2018**

**Issue:** The nation's counties rely on a strong federal-state-local partnership to successfully meet the transportation and infrastructure needs of their constituents. This partnership has included the Federal

Government providing, through the annual appropriations process, funding to assist the needs of local government.

**Proposed Policy:** U.S. Department of Transportation annual appropriations for fiscal year 2018 shall be maintained, at minimum, at the authorized FY2017 level, and whenever possible, be increased to assist projects that support the economic output, mobility, and safety of the American people.

**July 23, 2017**

**Approved | NACo Board of Directors**

### **Proposed Resolution to Establish and Clarify NACo's Legislative Priorities for FAA Reauthorization or Extension**

**Issue:** As counties own 34 percent of the nation's publicly-owned airports and spend \$4.5 billion annually on air transportation, Federal Aviation Administration (FAA) reauthorization could have significant impacts on county governments, their budgets and the economic well-being of their communities.

**Proposed Policy:** As Congress considers legislation to reauthorize the FAA, The National Association of Counties (NACo) calls for provisions that would:

- Modernize the Passenger Facility Charge (PFC) program by: Increasing the cap to \$8.50 and indexing it to inflation so it can be automatically adjusted going forward; streamlining the application process; and eliminating program requirements that are applicable only to medium and large hub airports.
- Reauthorize the Airport Improvement Program (AIP) at the current funding levels. In exchange for raising the PFC cap to \$8.50, eliminate program entitlements (apportionments) for large hub airports and redirect the resulting savings to fund projects at small airports (airports designated as small hubs and smaller).
- Reauthorize the Federal Contract Tower and ensure that FAA does not change the requirements for participating in the program in a way that would close existing towers, prevent new towers or force local communities to pay onerous portions of the required program costs.
- Re-establish Congressional intent and 30 years of federal interpretation that state and local sales tax measures of general application are not the same as aviation fuel excise tax and the states and localities should be able to use those revenues as they have determined based on state and local statute.
- Fully fund the Essential Air Service (EAS) program that provides dollars to airlines that serve small communities and to continue guaranteed funding of the Small Community Air Service Development Program (SCASDP) that helps small communities address air service and airfare issues.
- Establishment of a pilot program within the U.S. Department of Transportation (DOT) FAA that, in consultation with airline operators and general aviation users, oversees the installation and operation of remote air traffic control towers.

**July 23, 2017**

**Approved | NACo Board of Directors**



## Proposed Resolution to Support Innovative and Automated Technology for Transportation Solutions

**Issue:** Automated vehicles and systems can substantially improve safety, mobility, and connectivity of public and private transportation. However, the cost to counties to prepare for the implementation of these technologies can be high.

**Proposed Policy:** The National Association of Counties (NACo) urges the U.S. Department of Transportation (USDOT), Federal Transit Administration, and Federal Highway Administration to ensure that monetary federal assistance accompany any federal mandate issued to prepare county-owned roadways for automated vehicle implementation.

**July 23, 2017**

**Approved | NACo Board of Directors**