

# NACo Board passes interim resolutions at Legislative Conference

## Resolutions now bound for Annual Conference in July



NACo's Board of Directors adopted the following resolutions as interim policy at their 2016 Legislative Conference meeting. They will be considered for final adoption by the membership as a whole at the Annual Business Meeting, July 25 in Los Angeles County (Long Beach), Calif.

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

#### **Urge and Request the United States Congress to Provide for Free Burial of Spouses and Dependents of Veterans at all Veterans' Cemeteries**

**Issue:** Spouses and dependents of veterans are interred for free at national veteran's cemeteries but state, territorial, and tribal governments frequently charge for such burial.

**Adopted Policy:** The National Association of Counties (NACo) urges and requests the United States Congress to fund the expenses of burial of spouses and dependents of veterans at cemeteries which are operated by state, territorial and tribal governments and which receive funds from the Veterans Cemetery Grants Program.

#### **Support the Promotion of the Arts and Culture in America's Counties**

**Issue:** Counties, especially rural counties, underutilize the arts and culture as an economic engine to help with job growth, increased economic activity and enhanced revenue collection.

**Adopted Policy:** The National Association of Counties (NACo) supports increased funding for the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), the Institute of Museum and Library Services (IMLS) and the arts education program within the Department of Education to provide counties with additional resources to develop and expand cultural resources in their counties.

#### **Affirmatively Further Fair Housing**

**Issue:** Support the direct allocation of funding and technical assistance resources to aid local governments in complying with the Affirmatively Furthering Fair Housing (AFFH) Final Rule and in completing the Assessment of Fair Housing (AFH) planning process.

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

### **FY 2017 Appropriations for the U.S. Department of Housing and Urban Development**

**Issue:** Support FY 2017 appropriations for the U.S. Department of Housing and Urban Development (HUD).

**Adopted 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 2017 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill: no less than \$3.3 billion in Community Development Block Grant (CDBG) formula funding; no less than \$1.2 billion in formula funding for the HOME Investment Partnerships Program (HOME); \$2.6 billion for Homeless Housing Assistance grants, including at least \$270 million for the Emergency Solutions Grant program plus an amount to fully fund expiring supportive housing and Shelter Plus Care rent subsidy contracts; full funding for existing Housing Choice Voucher (HCV) project-based and tenant-based rental assistance contracts, full funding for administrative fees under existing administrative fee methodology to cover the costs of administering the program, \$75 million for HUD Veterans Affairs supportive Housing Vouchers and \$500 million in Section 108 Loan Guarantee authority. In addition, NACo does not support the imposition of a funding threshold to receive HOME Investment Partnerships program funds directly or the revision of “grandfathering” provisions that would remove participating jurisdictions from future funding eligibility.

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

### **Implementation of the EPA’s Clean Power Plan**

**Issue:** The socio and economic impact of the proposed Environmental Protection Agency’s (EPA) Clean Power Plan.

**Adopted Policy:** The National Association of Counties (NACo) urges Congress to appropriate funding, tax credits, and/or other fiscal incentives to develop and commercialize technologies to reduce carbon dioxide emissions, which ensures cost competitive and stable energy prices with system reliability, before implementation of the Clean Power Plan.

### **Stormwater Runoff from Forest Roads**

**Issue:** Exemption of forest roads from Clean Water Act requirements.

**Adopted Policy:** The National Association of Counties (NACo) believes that all public and private roads that access forest land should not be considered point sources and thus should not be subject to storm water regulations or requirements.

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

### **Support Full Funding of the 2002 Help America Vote Act**

**Issue:** States 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 intention of HAVA and fully funding the law is necessary to ensure states have the financial resources they need to sustain the improvements they have made since 2002.

**Adopted 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.

## HEALTH

### **Support the Restoring the Partnerships for County Health Care Costs Act of 2015 (H.R. 4201)**

**Issue:** Support the efforts to ease the burden of inmate medical costs on local governments.

**Adopted Policy:** The National Association of Counties (NACo) urges Congress to not only pass legislation to improve the current situation and ease the burden put on local governments caused by the expanding cost of medical services that are provided to inmates in public institutions, but to also ultimately cover all inmate medical costs under Medicare and Medicaid.

### **Urge CMS to Enhance Medicaid Flexibility for Justice-Involved Populations**

**Issue:** Section 1905 of the Social Security Act prohibits Medicaid from paying for inmates' care while in county facilities even while they are pre-trial and presumed innocent—which leads to uncoordinated systems of care for inmates, decreased health outcomes, and increased recidivism rates.

**Adopted Policy:** The National Association of Counties (NACo) urges the Centers for Medicare and Medicaid Services (CMS) to utilize all necessary measures, including waivers, to enhance flexibility within the Medicaid program to improve the continuity of health care for justice-involved individuals.

### **Urge CMS to Modify Proposed Regulation on Medicaid Managed Care**

**Issue:** Language in a proposed rule that would overhaul the Medicaid managed care program would limit the ability of states to make supplemental payments to providers.

**Adopted Policy:** The National Association of Counties (NACo) urges the Centers for Medicare and Medicaid Services (CMS) to preserve the ability of states to provide supplemental support to targeted local government providers for services provided to Medicaid managed care enrollees.

## HUMAN SERVICES AND EDUCATION

### **Support Age Appropriate Visitation for Out of State Youth**

**Issue:** Visitation of older out-of-county foster youth through computer technology.

**Adopted Policy:** The National Association of Counties (NACo) supports federal legislation to allow 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.

### **Repeal and Reform the Social Security COLA Formula**

**Issue:** The Social Security Cost of Living Adjustment (COLA) Formula, which is designed to reflect increases in the cost of living, will not increase in 2016.

**Adopted 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 – in 2016 and beyond.

## **JUSTICE AND PUBLIC SAFETY**

### **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.

**Adopted 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.

### **The 2017 Reauthorization of the National Flood Insurance Program**

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

**Adopted Policy:** The National Association of Counties (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:

- Rates – should be publicly disclosed and affordable. Section 205 (Pre-FIRM) subsidies should be applied to all categories of property;
- Program Administration – Write Your Own (WYO) payments must be capped, and risk should be spread by increasing the pool of policyholders;
- HFIAA – key provisions from the Homeowner Flood Insurance Affordability Act (P.L. 113-89), namely grandfathering, premium increase caps and the reserve fund set-aside should be retained, and the 1 percent limit on premium to coverage ratio should be changed to a hard cap;
- Mapping – should be transparent and fair to local communities, appeal caps must be lifted and a method to pay for elevations should be developed;
- Mitigation – funding for mitigation should be increased, and NFIP premiums should be allowed to count as community and homeowner 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 line.

### **Support Legislation to Limit FEMA’s Deobligation of Public Assistance Funds from Eligible Applicants**

**Issue:** Since 2010, the Federal Emergency Management Agency (FEMA) has sought to recover and de-obligate previously-approved federal disaster recovery funds distributed to local governments.

**Adopted Policy:** The National Association of Counties (NACo) supports legislation that would preclude FEMA from immediately rescinding previously obligated funds from the grantee (the state), once the sub grantee (local recipient/county) has stated its intent to appeal FEMA’s decision in a

timely fashion. NACo also supports legislation (H.R. 1471), which establishes a 3-year statute of limitation on de-obligating Public Assistance funds from the date a project is certified complete by the state (grantee).

### **FEMA’s “Disaster Deductible” Proposal and its Potential Impacts on Counties**

**Issue:** The Federal Emergency Management Agency (FEMA) has released an advanced notice of proposed rulemaking that puts forth the concept of a “disaster deductible,” which would have to be fulfilled by recipients of FEMA Public Assistance funds before they receive such funding to assist in disaster recovery.

**Adopted Policy:** The National Association of Counties (NACo) urges FEMA to closely consider the potential impacts of a proposed “disaster deductible” on the ability of local governments to protect their residents and communities following disasters. Political and fiscal impacts of changes to federal policy are often felt most acutely at the local level, and FEMA’s efforts to lower federal disaster spending while incentivizing mitigation should not come at the expense of county governments. NACo stands ready to work with its federal partners to ensure that the impacts of a “disaster deductible” on local governments are carefully considered throughout a potential rulemaking process, so that any policy changes can advance, and not hinder, our shared goals of keeping local communities safe and secure in the midst of rising natural disasters.

## **PUBLIC LANDS**

### **Oppose Continued Wilderness Characteristic Inventory**

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

**Policy:** The National Association of Counties opposes any continuing wilderness characteristics inventory and cataloging by federal land management agencies without input and consent of impacted county governments. Further, NACo opposes any and all administrative addition, whether backed by inventory or not, of any designation or addition to the National Landscape Conservation System (NLCS), without the input and consent of impacted local governments. Such additions prohibited would include, but not be limited to Wilderness Study Areas, National Monuments, Wild and Scenic Rivers, Outstanding Natural Areas, and Forest Reserves.

### **Support for Historic Rights-of-Ways Legislation**

**Issue:** While the National Association of Counties (NACo) platform supports resolution of the claims of counties under R.S. 2477, it is general in nature, and the process in place requires quieting title through Federal District Court litigation and action. H.R. 4313, the Historic Routes Preservation Act, has been introduced to provide an efficient and cost-effective method for the federal government to confirm such claims.

**Adopted Policy:** NACo supports passage of H.R. 4313, the Historic Routes Preservation Act, and introduction, consideration and passage in the Senate of this bill or a companion creating an administrative process for confirming historic rights-of-ways on federal lands for qualifying roads, including the waiver of the statute of limitations regarding timely filing of such applications where qualifying roads cross “reserved” land.

## **Urge Congress and/or Department of the Interior to Take Actions to Stop the Moratorium on Leasing of Public Lands for Extraction of Carbon Based Resources**

**Issue:** Moratorium on carbon based natural resource leasing on public land while leasing process is rewritten.

**Adopted Policy:** The National Association of Counties (NACo) supports: (1) the continued issuing of leases by federal land management agencies for carbon based resource and fuel development on all public lands approved for such leasing in the agencies' current resource management plans according to current procedures and processes; and (2) the immediate elimination of all pending moratoriums against such leasing.

## **Support Third Party Recreational Concessionaires in County Parks on Bureau of Land Management Land**

**Issue:** The Bureau of Land Management (BLM) believes it does not have statutory authority to allow third party concessionaires to provide recreational opportunities such as camp grounds, horseback riding, and golf courses on BLM land leased or patented to counties.

**Adopted Policy:** The National Association of Counties (NACo) urges the strengthening of recreational opportunities and the resulting economic benefits through public-private partnerships on all public lands, including BLM land leased or patented to counties.

## **County Commissioner Approval Required For Any and All Land Acquisitions by Federal Agencies**

**Issue:** Yearly property tax revenue is lost permanently to counties, when the federal government acquires private lands utilizing federal funding.

**Adopted Policy:** The National Association of Counties (NACo) urges Congress to require all federal government agencies to obtain the approval of a Board of County Commissioners for any utilization of funding for acquisitions of private or state lands in the county where the acquisition is occurring.

# **TRANSPORTATION**

## **Support of Innovative, Connected, Automated Technology for Transit Solutions**

**Issue:** Innovative, advanced, connected, cost-effective technology, such as Intelligent Transportation Systems (ITS), and connected, automated vehicles and systems, can substantially improve safety, mobility, and connectivity of shared public transit but is not being widely considered despite current public use in Europe, Asia and, in limited form, the United States.

**Adopted Policy:** The National Association of Counties (NACo) urges modifying U.S. Department of Transportation (USDOT), Federal Transit Administration, or Federal Highway Administration policy in all appropriate innovative, advanced, connected, cost-effective technology grant guidelines to allow Automated Transit Networks as eligible for capital funding and to encourage states, local governments, or Metropolitan Planning Organizations to consider innovative, connected, automated technology in planning for transportation solutions.