

**THE COUNCIL OF STATE GOVERNMENTS**  
**Resolution on Protecting Access and Encouraging Bioscience**  
**and Pharmaceutical Innovation**

**Resolution Summary**

The bioscience and pharmaceutical industries continue to be important sectors to attract and retain at the state, local, and national levels in order to foster vibrant, diversified economic development. But just as other industries are experiencing increased global competition, American bioscience and pharmaceutical companies must also compete against companies whose home-country labor, tax and regulatory environments provide them with inherent economic advantages. Other nations actively promote opportunities for bioscience and pharmaceutical companies in a number of ways. Recognizing this rapidly changing economic environment and the importance of fostering innovation-based industry at home, several states are taking steps to promote a positive business climate for the bioscience and pharmaceutical industries in their own states and regions.

According to a 2006 report from the Biotechnology Industry Organization (BIO), the bioscience and pharmaceutical industries are “a growing and vibrant sector of the US economy, with more than 40,000 businesses employing 1.2 million people in all 50 states, Puerto Rico, and the District of Columbia.”<sup>1</sup>

A number of states have passed legislation to support the promotion and growth of the pharmaceutical and bioscience industries. These include highly targeted measures such as the creation of special venture-capital pools, as well as broader efforts to attract high-skill and high-wage jobs that ultimately can be economic drivers for a state. This resolution, being presented to The Council of State Governments by a consortium of private and public interests, reinforces the importance of America’s research-based bioscience and pharmaceutical industries and clarifies how a “focused” state perspective on endeavors to promote and foster industry innovation is the best interest of the state and its citizens.

*Legislative History – Encouraging Innovation*

The list below represents some of the more recent actions by states to address the importance of retaining and growing bioscience and pharmaceutical industry jobs here in the United States. We believe that passage of this resolution may enhance a state’s ability to drive innovation and a positive public policy focus on these vital health care industries:

- Colorado: Advancement of New BioScience Discoveries Initiative (HB 06-1360)

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<sup>1</sup> “Growing the Nation’s Bioscience Sector: State Bioscience Initiatives 2006”. Battelle and BIO, April 2006.

- Texas: Emerging Technology Fund (2005 – HB 1765)
- Maryland: Biotechnology Investment Tax Credit (Article 10-725)
- University of Massachusetts Life Sciences Facilities Act (Chapter 123 – 2006 Acts)
- Kansas: Economic Growth Act (HB 2647)
- Illinois: BioTIP Program (20 ILCS 605/605-800)
- Kentucky: Investment Fund Act (307 KAR 6:010.)
- Pennsylvania: House LifeSciences Caucus
- Maryland: Joint Technology and Biotechnology Committee Act (2008 – HB 724/SB 683)
- Florida: Biotechnology Day (April 29, 2003)/ Georgia: Life Sciences Day (September 24, 2003)

### **Management Directives**

**Management Directive #1:** Support state efforts to support pharmaceutical and bioscience innovation.

**Management Directive #2:** CSG staff will post the approved resolution on CSG's website and make it available through CSG's regular communication channels at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS**  
**Resolution on Protecting Access and Encouraging Bioscience**  
**and Pharmaceutical Innovation**

**WHEREAS**, according to the Food and Drug Administration, the number of medicines under development by America's pharmaceutical and bioscience industries continues to increase each year, and each of these innovations offer hope and relief to patients with disease that often have no other successful treatment options; and

**WHEREAS**, innovative therapies being created by America's research-based pharmaceutical and bioscience industries are more important to the health care system than ever before by making it possible to prevent or slow the progress of many diseases and avoid costly hospitalization and invasive surgeries; and

**WHEREAS**, only one of every 10,000 potential medicines researched by America's pharmaceutical and bioscience industries is approved by the FDA, and such approval takes an average of 15 years of research and development costing more than \$800 million; and

**WHEREAS**, establishing a supportive business and regulatory climate at the state level for pharmaceutical and bioscience innovation will ultimately create more high skill employees, better jobs, increased opportunities for higher-learning and universities through public/private partnerships, and higher revenues for states through payroll and corporate taxes; now

**THEREFORE BE IT RESOLVED**, that The Council of State Governments supports state efforts to promote pharmaceutical and bioscience innovation as it is in the best interest of both our states' economic growth and prosperity, as well as the public health of our citizens;

**NOW BE IT FURTHER RESOLVED**, that The Council of State Governments encourages states to support pharmaceutical and bioscience innovation, which could include the establishment of a Life Sciences Advisory Board, Joint Committee on Biosciences, and/or a focused legislative subcommittee to enhance the legislature's ability to direct state policies towards innovation growth and biopharmaceutical awareness.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration and Spring Meeting  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair

## THE COUNCIL OF STATE GOVERNMENTS

### RESOLUTION SUPPORTING COMPREHENSIVE CANCER CONTROL

#### **Resolution Summary**

Cancer is the second leading cause of death in the United States. The disease continues to exact a staggering toll both in terms of human suffering and health care costs. A comprehensive state approach to prevention and control efforts brings together existing resources and programs under a common plan. All 50 states and many territories have taken steps toward planning comprehensive approaches; many already are implementing plans.

Comprehensive cancer control programs change the traditional categorical approach where programs addressed specific forms of cancer, such as lung or colorectal cancer, or risk factors such as smoking or sun exposure. Planning was done within program silos, and there was sometimes competition rather than partnership with other programs. For example, states implemented successful breast and cervical cancer prevention and early detection programs. They also launched effective public awareness campaigns about the risks of cancer from smoking. However, states missed opportunities to maximize and coordinate resources of these programs in fighting the overall challenge of cancer.

The comprehensive approach seeks to get all the cancer stakeholders – including state programs and private and non-profit partners – to collaborate on an ongoing basis, maximize the impact of limited resources and do a better job of saving lives and preventing cancer. States are using this approach to weave together their cancer efforts and are seeing results. Some states have marshaled the power of dozens of state cancer organizations to improve screening rates. Some are making sure that everyone can afford cancer treatments. Others are establishing close partnerships among programs that pay for cancer prevention and treatment and community-based clinics to make sure that people in medically underserved areas have access to care. Others are embarking on effective public education campaigns about risk factors – such as smoking, obesity, physical activity, nutrition or excessive alcohol consumption – that are important to preventing many types of cancer. Through these efforts states are positioning themselves to do a more effective job of preventing and treating cancer.

#### **Additional Resource Information**

1. CDC's National Comprehensive Cancer Control Program (NCCCP):
  - a. Home: <http://www.cdc.gov/cancer/ncccp/>
  - b. State-by-state program information:  
<http://apps.nccd.cdc.gov/cancercontacts/ncccp/contacts.asp>
2. CSG's Healthy States Web page:  
<http://www.healthystates.csg.org/Public+Health+Issues/Cancer>
3. Cancer Control Planet: <http://cancercontrolplanet.cancer.gov/>
4. CancerPlan.org Home:  
<http://www.cancerplan.org/portal/server.pt?space=CommunityPage&cached=true&parent>

[name=Login&parentid=1&in\\_hi\\_userid=2&control=SetCommunity&CommunityID=201&PageID=0](#)

## **Management Directives**

**Management Directive #1:** Support state efforts to fund and implement state comprehensive cancer control plans.

**Management Directive #2:** CSG staff will post the approved resolution on CSG's Web site and make it available through CSG's regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

## THE COUNCIL OF STATE GOVERNMENTS

### RESOLUTION SUPPORTING COMPREHENSIVE CANCER CONTROL

**WHEREAS**, cancer is the second leading cause of death in the United States;

**WHEREAS**, in 2008, about 1.4 million new cases of cancer will be diagnosed, and nearly 560,000 Americans – about 1,500 people a day – will die of the disease;

**WHEREAS**, in 2007, the overall cost of cancer in the United States was \$ 219 billion – \$89 billion for direct medical costs, \$18 billion for lost worker productivity due to illness and \$112 billion for lost worker productivity because of premature death;

**WHEREAS**, the significant growth of cancer prevention and control programs within public health agencies has resulted in the recognition that improved coordination of cancer control activities within states is essential to maximizing resources and achieving desired cancer control outcomes;

**WHEREAS**, coordination of state cancer control activities, known as comprehensive cancer control (CCC), results in many benefits including increased efficiency for delivering public health messages and services to the public;

**WHEREAS**, the Center for Disease Control and Prevention's (CDC's) National Comprehensive Cancer Control Program (NCCCP) is a national resource for supporting comprehensive cancer control efforts;

**WHEREAS**, since 1998, the number of programs pursuing comprehensive approaches to cancer control has grown from 6 to include health agencies in all 50 states, the District of Columbia, 7 territories and 7 tribal groups, and with this support, they continue to establish broad based CCC coalitions, assess the burden of cancer, determine priorities for cancer prevention and control, and develop and implement CCC plans;

**WHEREAS**, cancer plans are the stepping stones for putting comprehensive cancer control programs into action, where each state, territory or tribal health agency develops a cancer plan to address its unique cancer burden;

**WHEREAS**, state, territory or tribal health agencies implementing cancer plans integrate expertise and efforts from many disciplines: basic and applied research, evaluation, health education, program development, public policy, surveillance, clinical services, and health communications; and

**WHEREAS**, the state, territory and tribal health agencies currently do not have adequate funding and resources to support their cancer plans from development and planning through implementation and into action;

**BE IT NOW THEREFORE RESOLVED**, that The Council of State Governments encourages state legislators and other elected leaders to support and promote state-wide efforts to develop and implement their state's comprehensive cancer control plan.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky

The image shows two handwritten signatures in black ink. The signature on the left is for Governor M. Jodi Rell, and the signature on the right is for Representative Kim Koppelman. Both signatures are written in a cursive, flowing style.

Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair

# THE COUNCIL OF STATE GOVERNMENTS RESOLUTION ON UNIVERSAL EARLY CHILDHOOD EDUCATION

## Resolution Summary

Many serious education challenges continue to confront the United States. The United States spends more money on education than just about any other country. American students score above the international average in some subject areas, but overall they still lag behind many countries—including countries that spend less on education than the U.S. As there is a significant relationship between the economic competitiveness of a country and the strength of its educational system, encouraging quality education in the United States is paramount to its success in the global economy.

Research across several decades has shown that the earlier children start their educational journeys, the better they will perform in school and will thus become more productive members of society. There is a strong consensus among researchers that high-quality early childhood education programs are an excellent investment for states. Research has found significant benefits to high-quality pre-Kindergarten programs, including a positive impact over time on federal and state budgets, crime, and the achievement and earnings of children and adults.

While targeted programs focus on high-risk, generally low-income children, universal early childhood education programs provide all children with the opportunity to succeed in school. Many children who are not in targeted groups can still benefit from a high quality preschool education – including middle income students who may or may not have access to high quality preschool programs. The problems ameliorated by early childhood education – such as dropout rates and low achievement – are not limited to the poor. The costs of failing to reach these children are greater than the cost-efficiency and savings associated with targeting.

## Additional Resource Information

National Institute for Early Childhood Research: [www.nieer.org](http://www.nieer.org)

Pre-K Now: [www.preknow.org](http://www.preknow.org)

Education Commission of the States: [www.ecs.org](http://www.ecs.org)

## Management Directives

- **Management Directive #1:** Create a sense of urgency by encouraging states to implement strategies to increase enrollment in high-quality early childhood education for all 3 and 4 year-old children.
- **Management Directive #2:** Support efforts to increase the number of high-quality early childhood education programs in the states for all 3 and 4 year-old children.
- **Management Directive #3:** Support efforts to study the effectiveness of universal early childhood education programs in order to inform those states implementing new programs or renovating existing programs.

- **Management Directive #4:** CSG staff will post approved resolution on CSG's website and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION ON UNIVERSAL EARLY CHILDHOOD EDUCATION**

**WHEREAS**, the United States has an interest in increasing the quality of education available to all children; and

**WHEREAS**, encouraging quality education in the United States is paramount to its success in the global economy; and

**WHEREAS**, there exists significant disparities in educational achievement and attainment between socioeconomic groups; and

**WHEREAS**, research has shown that high-quality early childhood education can have a direct impact on the success of students later in school; and

**WHEREAS**, high-quality early childhood education can provide significant economic benefits to states; and

**WHEREAS**, high-quality early childhood education is important to all children, not just those in targeted groups.

**BE IT THEREFORE RESOLVED** that The Council of State Governments encourages all states to implement strategies to increase enrollment in high-quality early childhood education programs, as well as create new programs so that all 3 and 4 year old children are served.

**BE IT FURTHER RESOLVED** that The Council of State Governments encourages research efforts to study the effectiveness of high-quality universal early childhood education programs.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair



**THE COUNCIL OF STATE GOVERNMENTS**  
**Resolution in Support of Farm to School Programs**

Obesity has become one of the most serious health threats facing America. The rate of overweight children in the U.S. has doubled during the past 25 years and quadrupled since the late 1960s. Overweight or obese children and teens have a higher likelihood of continuing to be overweight or obese adults, increasing their risks for heart disease, high blood pressure, stroke, diabetes, and some types of cancer. While many factors contribute to the increase in overweight children, poor nutrition is universally accepted as one of the primary culprits. Federal health experts recommend everyone should eat at least two servings of fruit and three servings of vegetables each day, but only about 20 percent of high school students do.

Schools play an important role in meeting children's nutritional needs. School lunches provide an opportunity for children to eat healthful foods that can influence what they choose to eat later in life. Just as unhealthful foods can reinforce poor eating habits, serving foods that are nutritious can establish a foundation for eating nutritious foods that can last a lifetime.

Farm to School programs provide schools with fresh produce grown on farms near the schools they serve. In addition to promoting better nutrition in school lunches, these programs provide health and nutrition education and support local small farmers by providing another market for their commodities. Farm to School programs provide more than fruits and vegetables. In some places, these programs also provide meat, eggs and honey for school lunches.

According to the National Farm to School Program, a non-profit organization that has been active in the development of Farm to School programs nationally, nearly 2,000 programs operate in 38 states, providing fresh produce and other farm goods to students in more than 8,000 schools.

Until now, Farm to School programs have been developed and maintained primarily by states and agreements between schools and growers. Congress has included a provision in the 2008 Farm Bill (H.R. 2419) to expand an existing fruit and vegetable program with \$1 billion over the next five years. Currently, a pilot program operates in just 14 states. The Farm Bill would expand the Fruit and Vegetable Program to provide locally grown fruits and vegetables to schools in all 50 states.

The federal government should take a more active role in supporting Farm to School programs nationwide. This resolution calls on Congress and the U.S. Department of Agriculture to provide funding for and to support efforts to ensure that children everywhere have access to fresh fruits, vegetables and other farm commodities while simultaneously providing additional markets to farmers. Additionally, states that have not already taken action to encourage Farm to School programs and provide funding for their successful operation should do so.

### **Additional Resource Information**

1. The National Farm to School Program. <http://www.farmtoschool.org/index.php>
2. *Going Local: Paths to Success for Farm to School Programs*. A publication produced by the National Farm to School Program.  
<http://departments.oxy.edu/uepi/cfj/publications/goinglocal.pdf>
3. *Farm to School Programs*. An issue brief produced by the Southern Legislative Conference. [http://www.slcatlanta.org/Publications/Education/farm\\_to\\_school.pdf](http://www.slcatlanta.org/Publications/Education/farm_to_school.pdf)
4. Centers for Disease Control and Prevention. Nutrition Topics.  
<http://www.cdc.gov/nccdphp/dnpa/nutrition/>

### **Management Directives**

**Management Directive #1:** Support state efforts to develop, maintain and expand state Farm to School programs.

**Management Directive #2:** CSG staff will forward copies of this resolution to all members of the U.S. Senate and U.S. House of Representatives Agriculture and Appropriations committees; and to the Secretary of the U.S. Department of Agriculture.

**THE COUNCIL OF STATE GOVERNMENTS**  
**Resolution in Support of Farm to School Programs**

**WHEREAS,** Farm to School programs connect schools with local farms to serve healthy meals in school cafeterias, improve student nutrition and provide health and nutrition education that will last a lifetime; and

**WHEREAS,** schools buy farm fresh foods such as fruits and vegetables, eggs, honey, meat, and beans for their menus; incorporate nutrition-based curriculum; and provide students experiential learning opportunities through farm visits, gardening and recycling programs; and

**WHEREAS,** farmers have access to a new market through schools and connect to their community through participation in programs designed to educate kids about local food and sustainable agriculture; and

**WHEREAS,** during the past 25 years the rate of overweight children has doubled in the United States; and

**WHEREAS,** children frequently have access to unhealthful foods and drinks on school campuses, influencing their choices towards eating; and

**WHEREAS,** only 20 percent of high school students eat the recommended amount of fruit and vegetables each day, according to the 2005 Youth Risk Behavior Survey, a decline from 24 percent in 1999; and

**WHEREAS,** communities are strengthened by the creation of a system linking schools, children, agricultural producers, parents and other community stakeholders to procure local foods for school meals; and

**WHEREAS,** the United States Congress has approved funding for the national Fruit and Vegetable program in the reauthorization of the Farm Bill, which would provide grants to states to increase the availability of fresh fruits and vegetables to elementary school children; and

**WHEREAS,** the Farm Bill reauthorized by Congress initially included language mandating the U.S. Secretary of Agriculture to “encourage...(the) purchase (of) locally produced foods to the maximum extent possible;” and

**WHEREAS,** approximately 2,000 Farm to School programs operate in 38 states, providing fresh foods to more than 8,000 schools;

**NOW, THEREFORE BE IT RESOLVED,** that The Council of State Governments strongly supports the implementation of a comprehensive, national Farm to School program that helps schools provide staff training, conduct menu planning, locate sources of locally produced food,

purchase food, and assists farmers and schools to purchase the necessary equipment to encourage the utilization of locally produced food products; and

**BE IT FURTHER RESOLVED**, that The Council of State Governments supports the use of federal grants included in the 2008 Farm Bill to increase the availability of fresh fruits and vegetables; and

**BE IT FURTHER RESOLVED**, that The Council of State Governments strongly encourages each state to develop, maintain, support and promote Farm to School programs to ensure that locally produced farm commodities are available for school lunches and snacks.

Adopted this 31st day of May, 2008 at the  
CSG Spring Meeting  
In Lexington, Kentucky

The image shows two handwritten signatures in black ink. The signature on the left is for Governor M. Jodi Rell, and the signature on the right is for Representative Kim Koppelman. Both signatures are written in a cursive, flowing style.

Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair

**The Council of State Governments  
Resolution on Improving Access to Higher Education**

**Resolution Summary**

Evidence indicates that there is a direct link between higher education and state economic competitiveness. America's colleges and universities provide students the skills necessary to succeed in today's changing global economy. Despite the benefits of higher education, this nation continues to fall further behind other developed countries in the percentage of students attaining a degree. Currently the United States ranks eighth in degree attainment among students ages 25-34 in industrialized nations. An overall graduation rate of 54% ranks America 20<sup>th</sup> among developed countries.

Low income and minority students obtain college degrees at an even lower rate. As of 2003, only 18% of African-Americans and 9% of Hispanics completed a bachelor's degree by the age of 29. That compares to 34% of white students who obtain a degree by the same age. Statistics also indicate low income and minority students have less knowledge about college than white families. This lack of knowledge limits their ability to make informed decisions about the value and importance of college.

With the increased emphasis that potential employers place on having a college degree, it is becoming increasingly more difficult for the average high school student to enroll in college. Tuition, room, and board at a four-year public university rose by an average of 6.3 percent during the 2006-07 school year to an average annual cost of nearly \$13,000.00. Tuition at four-year private institutions rose by an average of 5.9 percent during the same time frame. Even more troubling is the fact that tuition costs have risen this year at more than double the rate of inflation according to the College Board. This is just one of several factors that state policymakers need to address to ensure that higher education is accessible and affordable for all Americans.

**Additional Resource Information**

National Education Association: [www.nea.org/he/](http://www.nea.org/he/)

The College Board: [www.collegeboard.com](http://www.collegeboard.com)

Lumina Foundation for Education: [www.luminafoundation.org](http://www.luminafoundation.org)

The National Center for Public Policy and Higher Education: [www.highereducation.org](http://www.highereducation.org)

American Association of State Colleges and Universities: [www.aascu.org](http://www.aascu.org)

## **Improving Access to Higher Education Management Directives**

- **Management Directive #1:** Make a commitment to improving access. Affordable options such as technical schools and community colleges need to be more available. College schedules, financial aid and scholarships for returning adult learners also need to be more flexible to ensure potential students have a variety of scheduling options, such as evening classes.
- **Management Directive #2:** State policymakers need to rethink how higher education is funded. Recent cuts to higher education budgets have placed a greater burden on students and families. Realizing that many states face serious budget shortfalls, it is imperative that states spend higher education dollars in the most efficient manner possible.
- **Management Directive #3:** Support efforts to ensure a balance exists between merit based and need based financial aid programs to make sure minority and low income students also have an opportunity to attend college.
- **Management Directive #4:** CSG staff will post approved resolution on CSG's Web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**The Council of State Governments  
Resolution on Improving Access to Higher Education**

**WHEREAS,** education is the single most important key to our nation's long-term success and to the future of each individual citizen; and

**WHEREAS,** improving access to higher education ensures more Americans have the skills necessary to compete in today's global economy; and

**WHEREAS,** despite the importance of higher education, the United States continues to fall further behind other developed countries in the percentage of students earning their degree; and

**WHEREAS,** minority and low income students are even less likely than white students to earn a college degree; and

**WHEREAS,** these problems are being compounded by the rising cost of tuition, which is making it even harder for the average American family to afford college; and

**WHEREAS,** state policymakers need to work closely with colleges and universities to improve access to higher education so that all American's have an opportunity to enroll in college;

**BE IT THEREFORE RESOLVED,** that The Council of State Governments encourages state legislators and government officials to recognize the importance of higher education to their economic growth and development and that state policymakers place a greater emphasis on improving access to higher education so that their citizens can obtain the skills necessary to compete in today's changing economy.

**BE IT FURTHER RESOLVED**, that The Council of State Governments encourages state legislatures to offer more stability in revenue for institutions of higher education. States should consider financial incentives or rewards aimed at colleges and universities for courses students complete as well as for students enrolled.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky

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**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION IN SUPPORT OF MAINTAINING AND SUSTAINING FEDERAL  
HOMELAND SECURITY FUNDING, WHILE PRESERVING TRADITIONAL  
ALL-HAZARDS AND FIRST RESPONDER PROGRAMS**

**Resolution Summary**

This resolution urges the federal government to provide appropriate, ongoing, and consistent homeland security funding to state and local governments. This federal funding should be maintained at the current level or increased to address existing threats, as well as new and emerging threats, and the need to meet federal mandates. However, this funding should not come at the expense of traditional all-hazards and first responder funding, which must continue to be funded at sufficient levels.

**Additional Resource Information**

Department of Homeland Security, "Preparedness and Response." <http://www.dhs.gov/xprepresp/>

Department of Homeland Security, "Fiscal Year 2008 Preparedness Grants"  
[http://www.dhs.gov/xnews/releases/pr\\_1201882312614.shtm](http://www.dhs.gov/xnews/releases/pr_1201882312614.shtm)

International Association of Chiefs of Police. "The Impact of the Proposed FY 2009 Budget on State, Tribal, and Local Law Enforcement."  
<http://www.theiacp.org/documents/pdfs/Publications/TGD58843%2Epdf>

**Management Directives**

Management Directive #1: Support state and local efforts calling for consistent and ongoing federal homeland security funding, while continuing funding for traditional all hazards and first responder programs that existed before the September 11 terrorist attacks.

Management Directive #2: CSG staff will post approved resolution on CSG's Web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION IN SUPPORT OF MAINTAINING AND SUSTAINING FEDERAL  
HOMELAND SECURITY FUNDING, WHILE PRESERVING TRADITIONAL  
ALL-HAZARDS AND FIRST RESPONDER PROGRAMS**

**WHEREAS,** homeland security is a joint responsibility among federal, state, and local governments;  
and

**WHEREAS,** our communities and states must have the ability to be nimble and flexible in prevention  
and preparedness against specific and unknown threats, as each community and state have  
unique assets, needs and threats; and

**WHEREAS,** the federal government must keep the national commitment to maintaining homeland  
security funding and continue the constitutional responsibility to maintain the national  
defense as the war on terrorism continues; and

**WHEREAS,** it is vital to maintain and sustain homeland security funding, while preserving traditional  
all-hazards and first responder programs; and

**NOW THEREFORE BE IT RESOLVED** that The Council of State Government urges appropriate,  
ongoing, and consistent federal homeland security funding; and

**BE IT THEREFORE FURTHER RESOLVED** that The Council of State Governments believes that  
federal funding for homeland security should be maintained at the current level or  
increased to address the current threats, as well as new and emerging threats, and the need  
to meet federal mandates; and

**BE IT THEREFORE FURTHER RESOLVED** that the traditional all hazards and first responder  
programs should continue to be funded.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky



Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair



**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION IN SUPPORT OF FULL FUNDING FOR THE BYRNE JUSTICE ASSISTANCE  
GRANT (JAG) PROGRAM**

**Resolution Summary**

In November 2004, Congress consolidated two long-standing local law enforcement grant programs: the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program and the Local Law Enforcement Block Grant Program (LLEBG). The new program, the Edward Byrne Memorial Justice Assistance Grant program (JAG), is administered at the federal level through the Bureau of Justice Assistance (BJA) within the Justice Department.

The Byrne JAG program is a partnership among federal, state, and local governments to fight crime and create safer communities. BJA awards grants to states and local governments to improve the criminal justice system, and places an emphasis on breaking the cycle of substance abuse and crime, combating violence, holding offenders accountable, enhancing law enforcement initiatives, and supporting advancements in adjudication.

Many states and localities use their JAG funds to support multi-jurisdictional, multi-agency drug task forces, which foster institutional collaboration and interoperability, and create local-state-federal partnerships in the fight against illegal drug traffickers. JAG funding is also often used for similar gang and violent crime task forces, as well as information sharing and technology, prosecution efforts, drug courts, juvenile delinquency programs, and drug treatment programs.

This program has allowed state and local law enforcement task forces to make significant strides in combating illegal drugs and gangs. According to Iowa Senator Tom Harkin, each year Byrne JAG dollars fund over 4,000 police officers and prosecutors working on over 750 drug enforcement task forces in all 50 states across hundreds of urban and rural countries and cities. On an annual basis, Byrne JAG funding leads to over 220,000 arrests, 54,000 weapons seized, the seizure of 5.5 million grams of methamphetamine, and the breakup of almost 9,000 methamphetamine labs.

However, in 2007, in an omnibus appropriations bill, Congress slashed funding for the Byrne JAG program for Fiscal Year (FY) 2008 by 67 percent, from \$520 million in FY 2007 to just \$170.4 million. These cuts came as a surprise, as earlier in the year, both House and Senate committees had passed appropriations bills that funded the program at significantly higher levels (\$660 million in the Senate and \$600 million in the House). This funding level is an all-time low for a program that has received approximately \$500 million per year consistently since 1997. In addition, this massive cut came on top of years of decline in funding for the program. These funding cuts have had significant effects on state and local crime fighting efforts.

Unless reversed, the severe cuts to FY 2008 funding for this program will undoubtedly cause an elimination of many state and local crime fighting task forces, reversing gains these communities have made over recent years. The Council of State Governments urges Congress to support successful and critical state and local anti-crime and anti-drug programs by restoring funding for the Byrne Justice Assistance Grant programs for fiscal year 2008 to the FY 2007 level of \$520 million, at a minimum. In addition, The Council of State Governments urges to Congress to fully fund this program in future years at its authorized level of \$1.095 billion.

### **Additional Resource Information**

Bureau of Justice Assistance. "Justice Assistance Grant Program."

<http://www.ojp.usdoj.gov/BJA/grant/jag.html>

International Association of Chiefs of Police. "The Impact of the Proposed FY 2009 Budget on State, Tribal, and Local Law Enforcement."

<http://www.theiacp.org/documents/pdfs/Publications/TGD58843%2Epdf>

National Criminal Justice Association. "Cuts to the Byrne/Justice Assistance Grant Program."

<http://www.ncja.org/Content/NavigationMenu/GovernmentAffairs/Appropriations/SpreadthewordaboutcutstoJAG/default.htm>.

Senator Tom Harkin Press Release: "Harkin, Colleagues, Seek to Restore Funding for Crime Prevention".

March 31, 2008: <http://harkin.senate.gov/pr/p.cfm?i=295460>

### **Management Directives**

Management Directive #1: Support state and local efforts calling for restoration of federal Byrne Justice Assistance Grant (JAG) funding for Fiscal Year 2008 and for increased funding in future years.

Management Directive #2: CSG staff will post approved resolution on CSG's Web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION IN SUPPORT OF FULL FUNDING FOR THE BYRNE JUSTICE ASSISTANCE  
GRANT (JAG) PROGRAM**

- WHEREAS,** many communities across the country are again facing a significant and prolonged increase in violent crime; and
- WHEREAS,** the Byrne Justice Assistance Grant (JAG) program represents a successful partnership among federal, state, and local communities to fight crime and create safer communities by providing direct assistance to state and local law enforcement for a wide range of anti-crime programs; and
- WHEREAS,** this partnership encourages cooperation among law enforcement across local, state, and regional lines, targeting issues that are interstate in nature, such as gang crime, identity theft investigations, multijurisdictional drug enforcement efforts, sex offender databases, and other regional information-sharing and coordination efforts; and
- WHEREAS,** Byrne JAG funding has been used to develop local crime-fighting initiatives that tackle emerging crime prevention and control issues; and
- WHEREAS,** the Byrne JAG program is the only federal program that systematically and broadly targets criminal activity by distributing funds to all 50 states, the District of Columbia, and the territories through the use of a formula based on population and crime rates; and
- WHEREAS,** in 2007 Congress slashed funding for the program for Fiscal Year 2008 by 67 percent, from \$520 million in Fiscal Year 2007 to just \$170.4 million; and
- WHEREAS,** many of the successful programs currently funded by the Byrne JAG program will be eliminated if the funding is not restored;

**BE IT THEREFORE RESOLVED**, that The Council of State Governments strongly urges Congress to restore funding to the Byrne Justice Assistance Grant program to the Fiscal Year 2007 level of \$520 million, at a minimum; and

**BE IT THEREFORE FURTHER RESOLVED**, that The Council of State Governments supports full funding in future years for this critical anti-crime program at its authorized level of \$1.095 billion.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky

The image shows two handwritten signatures in black ink. The signature on the left is for Governor M. Jodi Rell, and the signature on the right is for Representative Kim Koppelman. Both signatures are written in a cursive, flowing style.

Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair

**THE COUNCIL OF STATE GOVERNMENTS**  
**RESOLUTION SUPPORTING THE U.S. HOUSE OF REPRESENTATIVES’**  
**MORATORIUM ON MEDICAID REGULATIONS**

**Resolution Summary**

Over the past year, the Department of Health and Human Services has issued a series of Medicaid regulations that could have a significant impact on the health of our most vulnerable citizens. These regulations attempt to alter longstanding Medicaid policies and do not require congressional approval.

Taken together these regulatory changes will reduce federal Medicaid spending by more than an estimated \$15 billion over the next five years, based on estimates from the Office of Management and Budget, while States report estimates of almost \$50 billion over the same time period. Most of these costs will be shifted to state and local governments. This comes at a time when states are dealing with an economic slowdown and weakening fiscal conditions.

The various regulations restrict how Medicaid pays for hospital services, graduate medical education, outpatient services, school-based health services, services for individuals with disabilities and case management services. While these regulations will directly impact Medicaid beneficiaries, educational and foster care services, and community safety net health care services will also be impacted.

Recognizing the imminent harm these regulations pose, The U.S House of Representatives acted on a bipartisan basis to delay implementation of these regulations. Without such action, states and localities that wish to continue providing these vital services will be forced to scale back other parts of their budgets or forced to cut services to Medicaid beneficiaries or payments to providers.

This resolution seeks to commend the House of Representatives for its passage of legislation that would place a moratorium on these regulations and to urge the President, the Secretary of HHS, and Congress to work with states to address the financial concerns in its partnership with the States.

**Additional Resource Information**

Committee on Oversight and Government Reform, The Administrations Medicaid Regulations: State-by-State Impacts.

<http://oversight.house.gov/story.asp?id=1778>

Kaiser Commission on Medicaid and the Uninsured. Medicaid: Overview and Impact of New Regulations.

[www.kff.org/medicaid/upload/7739.pdf](http://www.kff.org/medicaid/upload/7739.pdf)

## **Management Directives**

**Management Directive #1:** Commend the bipartisan action of the U.S. House of Representatives to place a moratorium on certain proposed Medicaid regulations. Communicate this with House leadership.

**Management Directive #2:** Support collaboration in the financial partnership between states and the federal government in the Medicaid program.

**Management Directive #3:** CSG will post approved resolution on CSG's Web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

## **THE COUNCIL OF STATE GOVERNMENTS**

### **RESOLUTION SUPPORTING A CONGRESSIONAL MORATORIUM ON MEDICAID REGULATIONS**

**WHEREAS**, Medicaid is a cooperative federal-state program that provides a broad range of healthcare services to 60 million low-income Americans, including families, people with disabilities and the elderly;

**WHEREAS**, Medicaid accounts for about 22 percent of state budgets, second only to education in spending;

**WHEREAS**, Medicaid is a federal-state partnership with shared responsibility for funding and sufficient federal flexibility for states to design programs that meet their unique needs and circumstances;

**WHEREAS**, Medicaid is a key component of our nation's safety net of services and consistent or even increased federal financial participation in the program is critical to states in times of economic downturn;

**WHEREAS**, in the past year the Administration has issued seven regulations that would make major, widespread changes in federal Medicaid policy that would have significant implications for states, providers, Medicaid beneficiaries and federal spending;

**WHEREAS**, according to the federal Office of Management and Budget, these regulations would reduce federal Medicaid spending by \$15 billion over the five year budget period FY 2009-FY 2013 as a result of the federal government no longer providing matching funds for services and administrative activities for which it is currently matching payments;

**WHEREAS**, the proposed regulations have drawn bipartisan criticism from governors who said they would shift billions of dollars in costs to the states and require major service reductions, leaving the most vulnerable citizens unprotected;

**WHEREAS**, in a report based on information from 43 states and the District of Columbia, the House Committee on Oversight and Government Reform found that the regulations would disrupt care for fragile populations, reduce federal expenditures by shifting costs to the states, and threaten the financial stability of many hospitals and other safety-net providers that provide care to the uninsured;

**WHEREAS**, states reported to the House Committee on Oversight and Government Reform the proposed regulations would reduce federal Medicaid spending by not \$15 billion but by nearly \$50 billion over the next five years;

**WHEREAS**, the House passed H.R. 5613 which would place a moratorium on these regulations;

**WHEREAS**, while there is agreement on the need to protect the fiscal integrity of the Medicaid program, the cumulative effect of these proposed regulatory changes will not only impact vulnerable populations and safety-net providers, but will also impact states in how they administer and budget for Medicaid;

**WHEREAS**, states must balance their budgets each year, the decrease in federal spending that would occur as a result of these proposed changes, coupled with the current economic downturn, may require many states to increase taxes and fees or cut Medicaid, SCHIP and other essential services;

**BE IT NOW THEREFORE RESOLVED** that The Council of State Governments commends the United States House of Representatives and the United States Senate for acting in a bipartisan manner to pass legislation that will temporarily delay implementation of proposals that would have significantly restricted federal support for essential Medicaid services, limited access to services and threatened the ability of providers to continue delivering services to Medicaid beneficiaries and the uninsured;

**BE IT FURTHER RESOLVED** that The Council of State Governments urges the President, the Secretary of the U.S. Department of Health and Human Services (HHS), the Administrator of the Centers for Medicare and Medicaid Services (CMS) and Members of Congress to work with the States to address concerns regarding the financial partnership between states and the federal government in the Medicaid program.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky

The image shows two handwritten signatures in black ink. The signature on the left is for Governor M. Jodi Rell, and the signature on the right is for Representative Kim Koppelman. Both signatures are written in a cursive, flowing style.

Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair

**THE COUNCIL OF STATE GOVERNMENTS  
ENDORSEMENT OF HOMELAND SECURITY CONSORTIUM WHITE PAPER**

**Resolution Summary**

Earlier this year, the National Homeland Security Consortium (NHSC) developed a white paper which contained recommendations designed to provide national policy guidance for both short and long-term strategic homeland security issues. The white paper, *Protecting Americans in the 21<sup>st</sup> Century: Imperatives for the Homeland*, represents an effort by various disciplines and professions to come together and acknowledge that homeland security is a shared responsibility between all levels of government, the private sector and citizens. Further, the white paper clarifies that these entities should be equal partners with the federal government in setting national goals and their supporting policies and procedures.

Since the establishment of the National Homeland Security Consortium in 2002, it has grown to include 21 national organizations representing local, state and private professionals that deliver services daily that are vital to the safety and security of the United States. The policy recommendations proposed by the NHSC include continued efforts to expand and implement effective sharing of information among all national partners; preservation of each state's role in controlling and maintaining their individual National Guard forces; and improved national efforts to enhance medical and health readiness in the face of a national crisis. Other recommendations are on the topics of infrastructure, sustained resources and capabilities, and border security.

In accordance with The Council of State Governments Bylaws concerning the passage of matters requiring action between the regularly scheduled meetings of the CSG Governing Board and Executive Committee, this matter was considered and endorsed by the CSG Executive Subcommittee in March 2008. Under those same CSG Bylaws, such Executive Subcommittee approval must be ratified by the full Executive Committee at their next meeting or otherwise automatically sunset.

**Resolution on Homeland Security White Paper Management Directives**

**Management Directive #1:** CSG staff will disseminate copies of this White Paper endorsement to the appropriate members of the U.S. House of Representatives and the U.S. Senate.

**Management Directive #2:** CSG staff will disseminate copies of this White Paper endorsement to the President of the United States, the Secretaries of the United States Department of Homeland Security, and the remaining Presidential candidates for the 2008 Presidential election.

**Management Directive #3:** CSG staff will post this endorsed White Paper on CSG's web site and make it available through its regular communication venues at the state and local level to ensure its distribution to the entire state government and policy community.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair

***Protecting Americans in the 21<sup>st</sup> Century:  
Imperatives for the Homeland***

**A White Paper by  
The National Homeland Security Consortium**

**Endorsing Organizations**

Adjutants General Association of the United States  
American Public Works Association  
Association of State & Territorial Health Officials  
International City-County Management Association  
International Association of Fire Chiefs  
Major City Police Chiefs Association  
National Association of Counties  
National Association of County & City Health Officials  
National Association of State EMS Officials  
National Emergency Management Association  
National Governors' Association Homeland Security Advisors Council  
National League of Cities  
National Sheriffs' Association  
The Council of State Governments



## ***Protecting Americans in the 21<sup>st</sup> Century: Imperatives for the Homeland***

There has been significant effort in the past seven years to improve our national ability to prevent, protect, respond, recover and mitigate across the full range of threats and hazards confronting America. Success in these efforts requires constant assessment of our national strategic goals and the steps being taken to achieve them. No single entity, public or private, is the sole authority in defining these goals and none is solely responsible for their accomplishment. Securing America's homeland is a shared *national* responsibility that federal, state, local, tribal, territorial and private sector organizations share with the American people.

Our nation is at a crossroads in its efforts to secure the homeland. The federal government has the opportunity to transition from top-down direction to meaningful cooperative engagement with all non-federal stakeholders. Doing so will enhance unity and allow us to achieve more rapid progress across the many challenges we confront, among these:

**The wide range of factors that influence our safety and security are rapidly evolving.** Our thinking and actions must therefore be agile and progressive.

**The impending change of federal leaders in key positions can create instability.** We must provide the next generation of leaders with the knowledge and capabilities to sustain stability and enhance America's domestic security.

**Unresolved and uncoordinated national policy discussions weaken the foundations for making critical and timely decisions and inhibit the essential collaboration necessary for building the national trust, especially during times of crisis.** Accordingly we must create a robust and consistent capability for engaging *national* stakeholders in both national discussions and the resulting decision making process about the security of the homeland.

The National Homeland Security Consortium (NHSC) remains committed to a more secure America. Four principles guide our overarching imperative for unity of purpose and effort.

### ***The value of the National Homeland Security Consortium:***

*The National Homeland Security Consortium is a forum for public and private sector disciplines committed to coalescing efforts and perspectives to best protect America in the 21<sup>st</sup> Century. The Consortium consists of 21 national organizations representing local, state and private professionals. It represents the array of professions that deliver services daily that are vital to safety and security of the United States. Our members are the front lines of protecting Americans and the homeland. We understand the scope and magnitude of ensuring safety and security locally or nationally cannot be performed solely by a single entity. We know that none of us can be fully effective attempting to work in isolation.*

*The creation of the Consortium is an example of how a variety of independent organizations have embraced the concept of expanded national local, state and private coordination - one necessitated by growing national demands. It is the new model for the new Century.*

***First – Preserving the historic principles that guide how our nation is governed is imperative.*** *Local and state governments, the private sector and our citizens have different roles but equal responsibility with the federal government for keeping our*

*homeland secure; they must be equal partners in setting national goals and their supporting policies and procedures.*

*Second – **Consistent, organized communication among stakeholders is required to build trust, resolve problems and prevent conflicts.** The Federal government has responsibility for providing leadership in coalescing national efforts –but federal communications must be constant, occur at many levels and their coordination responsibilities must not be construed as unilateral decision authority.*

*Third – **We must sustain national efforts.** Each national crisis provides new lessons and threats to our nation constantly evolve. Meeting current and future goals requires continued investment of intellectual capital and financial resources to maintain what exists and to create what is needed for a secure future. Protecting the homeland cannot be construed as a short-term effort – it must become our new steady state.*

*Fourth – **We must enhance our national resiliency.** Recent steps have improved some aspects of our ability to protect America; but a more comprehensive and synchronized approach is needed to mitigate the potential cascading impacts of any one event on overall national and economic security and the subsequent stability of our homeland.*

The aggressive steps being taken to protect people, infrastructure, the economy and society continue to evolve. While results of specific initiatives vary, there are overarching areas of progress. These include the recognition of the inter-dependencies among all levels of government and the private sector for managing national risk, the necessity for commitment of resources to both establish and re-establish all-hazard national capabilities and the desire for consistent structure and strategy. With others, these reflect both tangible and intellectual advancement. They help frame our understanding of the inextricable relationships between prevention, protection, response, recovery and mitigation. This progress underscores the National Homeland Security Consortium's desire for better and truly comprehensive solutions for advancing national preparedness and protecting America in the 21<sup>st</sup> Century.

Current national efforts are not cohesive or comprehensive. The sheer volume of major simultaneous initiatives along with the continuing crisis environment, fueled by reality and political discourse, combine to create unintended turmoil. This turmoil inhibits our national ability to implement candid overarching assessments of the success or failure of specific programs and to effectively define a broader national approach. Federal dialogue with local, state and private sector partner's lacks consistency. This causes unproductive divisions among constituencies. Federal decisions with national implications, while well intentioned, often remain uncoordinated and create unintended

negative cascading effects. National efforts remain a series of independent steps instead of a united comprehensive effort – one fully informed by all relevant stakeholders. Protecting Americans in the 21<sup>st</sup> Century requires that national efforts, under federal leadership, markedly transition from being reactive and fractured, to being proactive, coordinated and comprehensive.

The NHSC remains committed to working with the federal government to make progress in charting the path forward and ensuring united efforts that protect America. Members of the NHSC wrestle with the implications of the current situation daily and recognize we can and must do better.

As a starting point from our perspective, we offer a number of actions that have national implications and can serve as the beginning of a renewed commitment to collaboration. Others may offer different perspectives about where to begin. Simply, we welcome the opportunity to address any issue, especially if it leads to sustained meaningful collaboration and causes improvements that help America attain a truly comprehensive approach to protecting the homeland.

### **Communication and Collaboration:**

*Establish a robust, sustained and consistent process for soliciting local, state, tribal, territorial and private sector engagement, including unfiltered input to key federal decision makers, on the full breadth of homeland security issues.*

- Ensure stakeholders are included in all aspects of national policy development as successful collaboration requires a partnership with state and local governments, the private sector and nongovernmental organizations.
- Improve the capability for federal agencies and legislative committees to communicate and work together to ensure a coordinated and unified national approach to homeland security, and consistent messages to non-federal stakeholders.
- Establish clear cross-cutting direction to federal agencies that requires their individual implementation of homeland security initiatives be fully coordinated within the federal interagency in a manner that promotes a unified national effort.
- Ensure that federal agency offices responsible for maintaining ongoing policy-level liaison with non-federal government officials and private sector executive leaders, report directly to the head of their respective federal agency.
- Convene a broad ranging discussion with relevant stakeholder organizations to formally establish consistent processes and expectations about how collaboration will occur in the future.
- Improve coordination of legislatively directed deadlines imposed on federal agencies that subsequently create corresponding requirements for state, local, tribal, territorial and/or private sector input, to minimize redundant and conflicting demands for information from nonfederal stakeholders.

## **Intelligence and Information Sharing:**

*Preserve progress to date and continue to implement and expand efforts to ensure timely and effective sharing of information. Recent national information sharing strategies affirm the importance of these principles, but implementation remains inconsistent.*

- Fix federal guidelines that inhibit the granting of security clearances to local, state and private sector partners and address the continuing inconsistency of recognizing clearances granted by different federal agencies.
- Promote through policy and resources the inclusion of the private sector and nongovernmental organizations with local, state and federal information sharing.
- Sustain federal funding for state and local information sharing and make it predictable and not limited to a single threat or hazard.
- Actively engage non-federal stakeholders in the development of federal program guidance and related budget creation, essential tools for implementing national information sharing policies.
- Integrate national databases and ensure the capability for local, state, tribal, territorial and private access where needed.
- Regularly assess the capability and progress for fusing and sharing information vertically and horizontally within government and between the public and private sectors to ensure that vital information is constantly provided to those responsible for protecting the homeland.

## **Use of Military:**

*Protect the Constitutional role of states regarding control of their National Guard forces and clarify the circumstances as well as the command, control and coordination procedures under which federal active duty forces are to be employed in operations within the homeland.*

- Create clear policy for the Chief of the National Guard Bureau in consultation with Adjutants General to set National Guard operational requirements for inter-state domestic disaster relief and homeland security missions, without requiring Combatant Commander approval.
- Adequately define and resource the National Guard for its domestic support/protection and war-fighting missions.
- Develop an on-going monitoring process to ensure that during periods when the National Guard is called to federal service Governors will retain sufficient manpower and resources in their states for homeland security, disaster and emergency response missions.
- The National Guard should remain under the command and control of the nation's Governors for all homeland security operations purposes.
- Continue to remove bureaucratic obstacles and streamline processes for deploying federal military resources in support of civil authorities in times of local, regional or national disasters or emergencies.

- Establish clear joint force command protocols to assure federal active duty forces engaged in domestic operations within states can be placed under the supervision or the command and control of the Governor and the State Adjutant General.

### **Health and Medical:**

*Improve efforts to enhance the full range of health and medical readiness to address trauma and exposure related injury and disease.*

- Sustain funding that supports ongoing public health, medical and EMS preparedness to build and enhance medical surge capacity; promote training and workforce development; enhance technology for disease prevention, detection, and production of medical countermeasures and mass prophylaxis.
- Review the nation's health care system to assess the impact of hospital diversion, medical and public health surge capacity (including workforce issues) and alternate standards of care on our ability to provide adequate medical care during times of national crisis.
- Focus more federal preparedness activities on pre-hospital care and the role of public, private, career and volunteer EMS providers.
- Integrate any new disease surveillance systems into existing state, local and federal systems.
- Support the registration, credentialing, organization and deployment of volunteer health professionals through existing state and local systems such as ESAR-VHP, NIMS-EMS credentialing project, Medical Reserve Corps and EMAC.
- Develop with input from nonfederal stakeholders, an overarching national policy regarding Standards of Care for use under extreme conditions such as with a federal declaration of National Emergency.
- Clarify the roles of federal agencies for leading national efforts to enhance health and medical readiness for disasters and acts of terrorism and specifically assure health and medical information sharing as part of broader information sharing initiatives.

### **Interoperability:**

*Continue to promote coordinated development of governance, technology and protocols necessary to enhance minimal capabilities for interoperable communications (voice, video and data) among all levels of government and the private sector.*

- Establish incentives for private sector organizations to work with government to develop and maintain public safety communications systems at the local, regional, statewide and national levels.
- Continue to promote, through policy and resources, efforts that create local, regional, statewide and nationwide operability and interoperability.
- Allocate additional radio spectrum for public safety activities to ensure sufficient capacity exists to meet growing voice and data communications needs.

- Clarify the conditions and protocols under which private entities will be required to vacate radio spectrum under their control during federally declared National Emergencies.
- Develop a clear shared definition, vision and implementation strategy for nationwide communications interoperability.

### **Critical Infrastructure:**

*Strengthen efforts to protect and make more resilient our national critical infrastructure and subsequently our national economy, as well as accelerate steps to fully integrate the full range of federal efforts with the local, state and private sectors.*

- Assure that the actual protection of critical infrastructure systems remains a primary responsibility of local and state governments with the private sector and support these requirements with adequate federal resources and policy.
- Improve collaboration between state and local, private sector and federal agencies working across all the sectors to enhance the planning, protection, and recovery efforts needed to address the interdependent nature of critical infrastructure systems.
- Begin transitioning from the current tactical approach to critical infrastructure protection that favors physical site protection, response and recovery to one of strategic continuum-based resilient critical infrastructure systems assurance against all threats and natural and man-caused hazards.
- Include all stakeholders as equal partners in all aspects of creating national critical infrastructure protection policy and guidance.
- Strengthen information sharing initiatives to ensure timely sharing of critical infrastructure protection guidance and intelligence with those who need to have it.

### **Surge Capacity and Unified National Capabilities Approach:**

*Reassess our total national homeland security effort to ensure strategy and execution are targeted to provide for the highest return on investment and provides the broadest set of capabilities to address the full range of national risk – natural, human-caused and technological.*

- Review and update the Defense Production Act to improve its usefulness in supporting national efforts to address 21<sup>st</sup> Century asymmetric threats, including how it can transition to support non-military government organizations that provide critical direct services for defending and protecting the homeland.
- Ensure an immediate collaborative baseline review of target capabilities to identify needed adjustments based on lessons from actual events, advancements in capabilities or changes to our understanding of threats and establish a firm timetable to provide the necessary resources to support advancement.

- Rapidly implement a nationwide credentialing process involving all relevant federal, state and local government, and private sector organizations to enhance the ability for inter-state mutual aid, and where possible, to reduce reliance on direct federal personnel support in some areas.
- Provide technical and financial support to identify, resource type and package local, state, non-profit and private sector assets for rapid and sustained deployment (e.g. nationally credentialed recovery teams that include expertise in fields such as public works, local government management, law enforcement, EMS, fire, health and information technology).
- Establish a cross cutting logistics and surge management capability that unites local, state, federal and private sector coordination and support to impacted local communities.

### **Sustained resources and capabilities:**

*Implement and share with all stakeholders, multiyear federal homeland security strategic budget projections to support federal and nonfederal asset and budget planning and ensure consolidated annual expenditure reporting of state and local funds supporting homeland security activities.*

- Provide predictable and sustained federal technical and financial assets that are imperative to supporting the work of nonfederal stakeholders in their efforts to build and sustain capabilities that protect the homeland.
- Refine current homeland security funding approaches to ensure a national capacity to address the range and constantly changing nature of risk – from daily emergencies to natural disasters to acts of terrorism.
- Examine the full range of missions where current direct federal assistance (personnel, equipment and programs) might be more efficiently delivered by local, state, private or nongovernmental organizations and transition responsibilities and resources to establish these capabilities.
- Ensure program flexibility for including all relevant disciplines in all levels of development including training, education and funding.

### **Immigration and Border Security:**

*Implement national reforms to address the challenges immigration and border security issues create for local, state and private sector organizations.*

- Congress and the Administration must actively engage with the full spectrum of stakeholders to develop policy and implementation programs to address immigration and border impacts on public safety, public health and welfare, education and business.
- Ensure state and local governments and the private sector are provided the resources needed to address immigration and border security related issues pending federal resolution of a broader national immigration and border security policy.

These priorities reflect a widely shared agreement of priority issues that can be the starting point for renewed national commitment and forward progress for protecting the homeland. The National Homeland Security Consortium is committed to working with federal elected and appointed leaders to assure a truly national and also comprehensive approach for protecting America in the 21<sup>st</sup> Century.

## **National Homeland Security Consortium**

### **Purpose:**

The National Homeland Security Consortium is a forum for public and private sector disciplines to coalesce efforts and perspectives about how best to protect America in the 21<sup>st</sup> Century. The Consortium consists of 21 national organizations that represent local, state and private professionals. The consortium represents the array of professions that deliver the daily services that are vital to safety and security of the United States. The Consortium represents the first and secondary responders as well as those who will provide the sustained effort necessary to respond to any major emergency, including leadership and direction by elected and appointed officials.

The Consortium is an example of expanded local, state and private coordination necessitated by growing national demands. Our members recognize that people in the U.S. live in large population centers that have complex, overlapping and interrelated governmental and political structures. At the same time rural and less populated regions of the country also have citizens that expect and deserve safety and security from any hazard that may threaten their communities. Consequently, state and local government organizations that we represent have taken the initiative to significantly expand their collaboration in order to respond effectively in a crisis. We know that none of us can be effective attempting to work in isolation.

The Consortium provides a neutral forum for organizations to exchange ideas, have candid discussions, and galvanize input to the federal government. The differing perspectives of member organizations do not always provide for unanimity on specifics of implementing national initiatives. We do not aim for group think, but aspire to group understanding. More often than not, however, we have found easy consensus on our major goals.

### **Background:**

Participating organizations began meeting together in 2002 at the invitation of the National Emergency Management Association (NEMA). The National Homeland Security Consortium is an outgrowth of those initial discussions regarding the need for enhanced communication and coordination between disciplines and levels of government. The Consortium is now a recognized entity by the U.S. Department of Homeland Security and works in partnership with other federal agencies such as the Department of Health and Human Services and Centers for Disease Control and Prevention.

The Consortium meets at least two times annually and shares information on a regular basis on issues of common interest. Subject matter experts within the Consortium are available as needed to provide input on national strategies, plans and policies impacting state and local governments.

**Vision**

Enhanced homeland security to prevent, prepare for, respond to and recover from emergencies, disasters and catastrophes through strategic partnerships, collaborative strategies and information sharing.

**Mission**

Provide a forum of key national organizations through effective communication, collaboration, and coordination that positively promotes national policies, strategies, practices and guidelines to preserve the public health, safety and security of the nation.

**Objectives**

1. Provide a broad-based resource and sounding board on homeland security issues for all national stakeholders.
2. Share information, knowledge, experiences, and practices.
3. Contribute to the homeland security debate and discussion.
4. Focus efforts to resolve issues.
5. Develop recommendations in identified areas of common interest.

**Participating Organizations**

**Adjutants General Association of the United States**

**American Public Works Association  
Association of Public Safety  
Communications Officials**

**Association of State & Territorial  
Health Officials**

**Business Executives for National  
Security (BENS)**

**Council of State Governments**

**International Association of Emergency  
Managers**

**International Association of Fire Chiefs**

**International City/County Management  
Association**

**Major City Police Chiefs Association**

**National Association of Counties**

**National Association of County & City  
Health Officials**

**National Association of State  
Departments of Agriculture**

**National Association of State  
Emergency Medical Services Officials**

**National Conference of State  
Legislatures**

**National Emergency Management  
Association**

**National Governors' Association  
Homeland Security Advisors Council**

**National League of Cities**

**National Sheriffs' Association**

**Naval Postgraduate School Center for  
Homeland Defense & Security**

**Urban Area Security Initiative Cities**

**U.S. Chamber of Commerce**

**For More Information:**

The National Homeland Security Consortium is currently administered by the National Emergency Management Association, PO Box 11910, Lexington, KY 40578. For more information, contact the NEMA office at (859) 244-8233.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION ON THE PREVENTION OF CHILDHOOD OBESITY**

**Resolution Summary**

Childhood obesity is a very real and increasing threat for states. Research shows that one third of all children and adolescents in the U.S., nearly 25 million, are either obese or overweight. Not only is the quality of life for overweight and obese children compromised, they are also at higher risk for a host of serious illnesses, including heart disease, stroke, asthma and certain types of cancer. Unfortunately, too many of these children are prematurely being diagnosed with costly health problems such as type 2 diabetes and high blood pressure. Experts agree that if these trends are not reversed, the United States is in danger of raising the first generation of children who will live sicker and die younger than the generation before them.

Since most children spend the majority of their waking hours at school for nine or 10 months a year, schools have an important role to play in encouraging healthy behaviors among their students and creating an environment that makes it easier for them to make healthy choices. This resolution seeks to encourage and support state policymakers to adopt stricter standards for the quality of food served in schools and for state educational agencies to create more opportunities for physical activity during and after the regular school day.

**Additional Resource Information**

CSG Healthy States Obesity Web page

*<http://www.healthystates.csg.org/Public+Health+Issues/Obesity/>*

Institute of Medicine: Childhood Obesity Prevention

*<http://www.iom.edu/CMS/3788/51730.aspx>*

Leadership for Healthy Communities

*<http://www.activelivingleadership.org/>*

NASBE Center for Safe and Healthy Schools

*[http://www.nasbe.org/healthy\\_schools/](http://www.nasbe.org/healthy_schools/)*

NASBE: "Fit, Healthy and Ready to Learn: A School Health Policy Guide"

*<http://www.nasbe.org/healthyschools/fitthealthy.html>*

Robert Wood Johnson Foundation

*<http://www.rwjf.org/programareas/programarea.jsp?pid=1138>*

## **Management Directives**

**Management Directive #1.** Support and encourage state policy actions that give students greater access to nutritious foods and limit access to foods of minimal nutritional value

**Management Directive #2.** Support and encourage state policy actions that increase the amount of physical activity students have during or after the school day and expand the opportunities students have for physical activity outside the regular school day.

**Management Directive #3.** CSG staff will post approved resolution on the CSG Web site and make available through regular communications at the state and local level to assure distribution to the state policy communities.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION ON THE PREVENTION OF CHILDHOOD OBESITY**

**WHEREAS,** childhood obesity is a growing concern for states due to increased health care costs and reduced academic achievement for students who are obese or overweight;

**WHEREAS,** in the past two decades, the prevalence of overweight has more than doubled for American children and tripled among adolescents;

**WHEREAS,** more than one third of all children and adolescents in the U.S., nearly 25 million, are either obese or overweight;

**WHEREAS,** obesity among children may be associated with depression, anxiety and more frequent absences from school, which could pose a threat to the strength of a state's future work force;

**WHEREAS,** chronic health conditions typically associated with adults, such as diabetes and heart disease, are increasing among the nation's youth;

**BE IT THEREFORE RESOLVED,** that The Council of State Governments supports and encourages states to enforce existing U.S. Department of Agriculture regulations that prohibit serving foods of minimal nutritional value during mealtimes in school food service areas, including vending machines.

**BE IT FURTHER RESOLVED,** that The Council of State Governments supports and encourages school officials and local growers to work together to promote access to fresh fruits and vegetables in schools.

**BE IT FURTHER RESOLVED,** that The Council of State Governments supports and encourages states to ensure that all children and youth participate in a minimum of 30 minutes of daily physical activity.

**BE IT FURTHER RESOLVED,** that The Council of State Governments supports and encourages states to offer more chances for physical activity after the school day, such as by offering more intramural sports, physical activity clubs or by allowing after-school access of school facilities.

**BE IT FURTHER RESOLVED,** that The Council of State Governments supports and encourages states to establish Coordinated School Health Programs (CSHP) statewide. CSHPs integrate eight components that can have a strong influence on student health, including:

- Health education;
- Physical education;
- Health services;

- Nutrition services;
- Counseling, psychological and social services;
- Healthy school environments;
- Promoting healthy lifestyles for staff; and
- Family and community involvement.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION OPPOSING AMENDMENT OR REPEAL OF THE TOWER  
AMENDMENT**

**Resolution Summary**

The Tower Amendment to the Securities Act of 1933 was enacted in 1975 as part of legislation creating the Municipal Securities Rulemaking Board (“MSRB”). The Tower Amendment prohibits direct or indirect federal regulations of municipal issuers. It recognized the unique place that state and local governments occupy in our federal system and was developed to balance these unique interests with the need for additional market regulation. The legislative history of the Amendment indicates that Congress sought to limit federal oversight of state and municipal issuers.

In a white paper (“Disclosure and Accounting Practices in the Municipal Securities Market”) submitted to senior leadership of the House Financial Services Committee and Senate Banking Committee on July 27, 2007, SEC Chairman Christopher Cox proposed increasing federal authority over state and local issuers of municipal debt.

The proposals would require Tower to be amended or repealed and include: making municipal disclosure more like corporate disclosure; creating a centralized Web-based free site, such as the SEC's EDGAR, through which investors could access such disclosure information; clarifying the legal responsibilities of municipal transaction participants; requiring municipal issuers to use generally accepted accounting standards, which are issued by the Governmental Accounting Standards Board; and providing an independent source of funding for and SEC oversight of GASB.

The municipal marketplace is already regulated by a combination of state blue sky laws, federal tax laws, the anti-fraud enforcement power of the SEC, Rule 15c2-12 and MSRB regulations on broker/dealers participating in the buying and selling of municipal securities, the analysis of independent credit rating agencies, and the demanding requirements of the capital markets. Indeed, it is reasonable to conclude that the substantial growth of the market and the increased percentage of municipal debt holdings by individuals are, in part, because investors recognize the safety, liquidity, transparency and efficiency of the municipal bond market. They reasonably rely on existing regulations and oversight to make informed investment decisions.

Nevertheless, the National Association of State Treasurers (NAST), an affiliate of The Council of State Governments, has been active in enhancing the efficiency and transparency of the municipal marketplace. For example, NAST along with other market participants created the Central Post Office as a central repository of issuers’ secondary market disclosure information. NAST supports the MSRB’s proposed “access equals delivery” protocol for electronic delivery of primary offering materials. More recently, NAST endorsed in concept the creation of a web-based, central repository of primary and secondary market disclosure information under development by the MSRB.

This resolution expresses The Council of State Government's opposition to the revision or repeal of the Tower Amendment and to the enactment of legislation that would subject state and local government issuers to federal disclosure laws.

### **Additional Resource Information**

National Association of State Treasurers, [www.nast.org](http://www.nast.org)

United States Securities and Exchange Commission, [www.sec.gov](http://www.sec.gov)

### **Management Directives**

**Management Directive #1:** CSG will support its affiliate, the National Association of State Treasurers, in its opposition to the revision or repeal of the Tower Amendment and to the enactment of legislation to subject state and local government issuers to federal disclosure laws.

**Management Directive #2:** CSG staff will post approved resolution on CSG's web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION OPPOSING AMENDMENT OR REPEAL OF THE TOWER  
AMENDMENT**

**WHEREAS,** The regulatory structure of the municipal market is unique. Underwriters, brokers and dealers in municipal securities are regulated by the Municipal Securities Rulemaking Board (MSRB); and

**WHEREAS,** Under a provision of the federal securities laws known as the “Tower Amendment,” the United States Securities and Exchange Commission (SEC) and the MSRB are prohibited from requiring state and local government issuers of municipal securities, either directly or indirectly through their underwriters, to file any document prior to the sale of securities; and

**WHEREAS,** The MSRB is prohibited from directly or indirectly requiring any document or information to be furnished by an issuer to prospective purchasers after the securities have been sold; and

**WHEREAS,** State and local government issuers of municipal services are subject to the antifraud provisions of the federal securities laws; and

**WHEREAS,** State and local government issuers are subject to state securities law pertaining to the issuance of municipal securities. Each state’s securities laws specify whether municipal securities issuers must disclose any information at all, and if so, what type of information must be provided; and

**WHEREAS,** The Tower Amendment recognized the constitutional prerogatives of state and local governments, and was crafted to balance those prerogatives with the perceived need for additional market regulation. The legislative history of the Amendment makes it clear that Congress sought to limit federal oversight of state and local municipal issuers. A Senate report on the legislation states that “nothing in the legislation contemplates direct regulation of issuers or the registration of their securities....” Further, the report states that the SEC’s rulemaking authority with respect to transactions in municipal securities is limited to control of fraudulent, manipulative, and deceptive practices; and

**WHEREAS,** The SEC has presented recommendations to Congress regarding federal oversight of municipal securities that would require the Tower Amendment to be altered or repealed; and

**WHEREAS,** Repeal or amendment of the Tower Amendment could result in the federal

government dictating to issuers the timing, form, and content of official statements and annual financial reports; requiring federal review and approval of bond issues; dictating state and local accounting standards and practices; and preempting state oversight of the debt issuance process; and

**WHEREAS,** Repeal or amendment of the Tower Amendment could lead to substantial increases in the issuance costs for state and local governments.

**NOW, THEREFORE BE IT RESOLVED,** that The Council of State Governments opposes preemption of state and local finance authority and state oversight of the debt issuance process through revision or repeal of the Tower Amendment or enactment of legislation to subject state and local government issuers to federal disclosure laws.

**BE IT FURTHER RESOLVED,** that The Council of State Governments supports the self-regulatory structure of the municipal market, and the commitment of all issuers of municipal securities with federal and state laws and Securities and Exchange Commission rules.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration and Spring Meeting  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair

Adopted this \_\_\_\_ Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration and Spring Meeting  
in Lexington, Kentucky

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Governor M. Jodi Rell  
2008 CSG President

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Representative Kim Koppelman  
2008 CSG Chair

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION ON TRANSPORTATION FINANCE**

**Resolution Summary**

With the reauthorization of the current federal transportation program (SAFETEA-LU) fast approaching, the time has come to reassess the current state of transportation in this country. Transportation systems have a direct impact on the vitality and economic well-being of our country. A healthy transportation system provides for seamless movement of the public as well as its products, whether it is within a city, between different cities, or between rural and urban areas of our country.

However, our nation's current transportation system is in serious need of repair. Many state transportation departments face backlogs of needed repairs and infrastructure improvements due to budget constraints. Over 70,000 bridges in this country are rated as "structurally deficient" by the United States Department of Transportation. According to the National Surface Transportation Policy and Revenue Study Commission, it currently takes on average 14 years in order to complete one transportation project from start to finish.

The situation regarding federal transportation funding looks bleak as well. The Office of Management and Budget projects that the Highway Trust Fund will run a negative balance by 2009. Proposals are now being discussed that would temporarily suspend the federal gasoline and diesel fuel tax during the summer of 2008 and thus lessen resources even more. Efforts to suspend the federal gasoline tax will further undermine the federal-state partnership that has provided necessary funding for our nation's transportation system. Revenues from the Highway Trust Fund serve as the primary source for federal funding of highway and transit systems. Despite ever decreasing revenues, a significant increase in public funding will be necessary for America's transportation system to remain competitive.

In order for any future federal transportation program to be effective, solutions that are multi-modal in nature will be necessary. As demand for transportation grows and the population increases, congestion will continue to be a major factor affecting the efficient movement of people and goods. Potential solutions that address congestion will need to incorporate more than one mode of transportation. A multi-modal framework will also help to mitigate the environmental and public health concerns of our current transportation system.

The Council of State Governments calls on the federal government to maintain the federal-state partnership to preserve the transportation system. Decisions regarding transportation should be viewed as intergovernmental issues tackled while keeping in mind the unique issues and concerns of all levels of government. This resolution expresses support for multimodal transportation solutions, preservation of the federal-state transportation partnership and increased intergovernmental collaboration.

### **Additional Resource Information**

Congressional Budget Office: [www.cbo.gov](http://www.cbo.gov)

United States Department of Transportation: [www.dot.gov](http://www.dot.gov)

National Academy of Public Administration, Report on Transportation Finance,  
[http://www.napawash.org/pc\\_intergov/Financing\\_Transportation\\_Surface\\_Trans\\_Jan\\_08.pdf](http://www.napawash.org/pc_intergov/Financing_Transportation_Surface_Trans_Jan_08.pdf)

National Surface Transportation Policy and Revenue Study Commission,  
[www.transportationfortomorrow.org](http://www.transportationfortomorrow.org)

### **Resolution on Transportation Finance Management Directives**

**Management Directive #1:** CSG will support efforts to recommend changes to federal transportation policy that address the needs of all levels of government, seek to find innovative methods of transportation finance, and allow states increased flexibility in carrying out their transportation projects.

**Management Directive #2:** CSG staff will post approved resolution on CSG's web site and make available through its regular communication venues at the state and local levels to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION ON TRANSPORTATION FINANCE**

**WHEREAS**, with the anticipated shortfall in the Highway Trust Fund and in the wake of increasing gas prices, solutions to transportation finance are more important than ever; and

**WHEREAS**, Congress should take steps to ensure that the Highway Trust Fund does not reach a negative balance in the near future; and

**WHEREAS**, our country's transportation infrastructure is a critical element of our economy; and

**WHEREAS**, states are looking to find innovative ways to fund needed transportation projects; and

**WHEREAS**, surface transportation decisions should be more intergovernmental in nature; and

**WHEREAS**, a more efficient transportation system is one in which there is integration and coordination across various modes of transportation;

**WHEREAS**, transportation projects should be completed in a timely and efficient manner. Efforts to reduce project time should be examined; and

**WHEREAS**, transportation funding decisions should allow for state flexibility so to allow decisions to be made in accordance with each state's priorities;

**BE IT THEREFORE RESOLVED**, The Council of State Governments supports transportation initiatives that incorporate increased intergovernmental participation; and

**BE IT FURTHER RESOLVED**, The Council of State Governments supports a multi-modal and regional approach as determined by the affected states when examining issues surrounding transportation and transportation finance; and

**BE IT FURTHER RESOLVED**, The Council of State Governments supports an approach to transportation and transportation planning that addresses environmental and economic development concerns; and

**BE IT FURTHER RESOLVED**, The Council of State Governments supports legislation aimed at preserving the federal-state partnership in transportation funding; and

**BE IT FURTHER RESOLVED,** The Council of State Governments calls on Congress to take immediate steps to ensure that the Highway Trust Fund does not reach a negative balance and to pass legislation establishing a reliable and predictable long-term funding source for transportation.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75th Anniversary Celebration  
in Lexington, Kentucky

The image shows two handwritten signatures in black ink. The signature on the left is for Governor M. Jodi Rell, and the signature on the right is for Representative Kim Koppelman. Both signatures are written in a cursive, flowing style.

Governor M. Jodi Rell

Representative Kim Koppelman

2008 CSG President

2008 CSG Chair

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION SUPPORTING THE RETURN OF UNCLAIMED U.S. SAVINGS  
BONDS TO THEIR RIGHTFUL OWNERS**

**Resolution Summary**

The primary function of state unclaimed property divisions is to locate and return various forms of unclaimed property to the rightful owners or their heirs. This property could be forgotten bank accounts, uncashed pay checks, unclaimed security deposits, unused gift certificates, etc. It is most often in the form of money, but it can also be stocks, mutual funds, and contents of safe deposit boxes. The property comes from many sources including banks, credit unions, corporations, utilities, insurance agencies, retailers, and governmental agencies throughout the United States.

State unclaimed property programs have enthusiastically and effectively adopted the mission of reuniting owners with their lost property. States use a variety of methods to find lost owners, including: (i) publishing owner names in newspapers; (ii) hosting information booths at state fairs, senior citizen centers, shopping malls, and other community events; (iii) extensive local and national media outreach; (iv) matching owner names against other state and commercial databases; and (v) establishing online searchable databases of unclaimed property. Every state maintains an internet search site, and each year more states allow claims to be initiated on their sites. In addition, 40 states, the District of Columbia, and Puerto Rico participate in a national unclaimed property website, MissingMoney.com, where more than 180 million searches – including 48 million in 2007 – have been conducted.

As of February 2008, \$15.99 billion in U.S. savings bonds have reached final maturity and ceased to pay interest but have not been redeemed by their rightful owners. The federal government retains possession of these bonds until redemption. States, through the National Association of State Treasurers and the National Association of Unclaimed Property Administrators, propose federal legislation - the Unredeemed U.S. Savings Bond Return Act - to leverage states experience returning unclaimed property to find the owners of these U.S. savings bonds and facilitate their return.

The central premise behind the Unredeemed U.S. Savings Bond Return Act is that these bonds belong to those who purchased them (or their heirs), that action should be taken to return the proceeds of these bonds to their rightful owners, and that the states are best equipped to accomplish this task. The states' successful experience returning abandoned property is directly applicable to matured, unredeemed savings bonds and the proposed program. Growth in the amount of matured, unredeemed bonds has been accelerating in recent years and the federal government has no plan to proactively seek these bondholders and reunite them with their property. The states are both willing and well-equipped to do so.

This resolution expresses The Council of State Governments endorsement and support of the efforts of the National Association of State Treasurers (NAST) and the National Association of Unclaimed Property Administrators (NAUPA) to establish an effective system of returning matured, unredeemed savings bonds to their rightful owners.

### **Additional Resource Information**

National Association of State Treasurers, [www.nast.org](http://www.nast.org)

National Association of Unclaimed Property Administrators, [www.naupa.org](http://www.naupa.org)

### **Management Directives**

**Management Directive #1:** CSG will support its affiliate, NAST, in their effort to reunite owners of mature, unredeemed United States savings bonds with their property.

**Management Directive #2:** CSG staff will post approved resolution on CSG's web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS  
RESOLUTION SUPPORTING THE RETURN OF UNCLAIMED U.S. SAVINGS  
BONDS TO THEIR RIGHTFUL OWNERS**

**WHEREAS,** the United States Department of the Treasury holds more than \$16 billion in matured, unredeemed United States savings bonds. The total number of matured, unredeemed savings bonds is estimated at almost 40 million bonds; and

**WHEREAS,** officials of the United States Department of the Treasury have stated that their agency lacks the legal authority to turn over to the states any funds representing matured, unredeemed savings bonds, nor the ability to identify the names and last-known addresses of the vast majority of the owners matured, unredeemed savings bonds issued prior to 1974, nor has the effective systems in place to identify, locate, contact and pay the owners of these unredeemed bonds; and

**WHEREAS,** under common and escheat law, the states are charged with the responsibility of locating missing owners of matured, unredeemed savings bonds and reuniting these owners with their lost assets. The states already have in place unparalleled and effective outreach programs that in 2006 returned over \$1.7 billion in lost or unclaimed property to the rightful owners; and

**WHEREAS,** State treasurers administer unclaimed property programs in 33 states and the District of Columbia and the Commonwealth of Puerto Rico. Since 1999, the National Association of State Treasurers has sought to work cooperatively with the Department of the Treasury to reunite owners of matured, unredeemed United States savings bonds with their property. States treasurers have proposed numerous, creative approaches to facilitate outreach and reunification, and have requested that the Department of the Treasury consider state request to redeem savings bonds retrieved from abandoned safe deposit boxes. The Department has raised various concerns, which the state treasurers have attempted to resolve. To date, the Department has not turned over any bonds or underlying owner information to the states; and

**WHEREAS,** the states, through the National Association of State Treasurers and the National Association of Unclaimed Property Administrators, have developed a legislative proposal to establish a program designed to leverage existing state unclaimed property laws in order to return matured, unredeemed savings bonds to their rightful owners. The legislative proposal details the compilation and dissemination of owner data to the states and the facilitation of the claims process.

**BE IT NOW RESOLVED**, that The Council of State Governments does hereby endorse and support the efforts of the National Association of State Treasurers to establish an effective system of returning matured, unredeemed savings bonds to their rightful owners.

Adopted this 31st Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration and Spring Meeting  
in Lexington, Kentucky



Governor M. Jodi Rell  
2008 CSG President



Representative Kim Koppelman  
2008 CSG Chair



## THE COUNCIL OF STATE GOVERNMENTS

### RESOLUTION TO EXTEND THE PRODUCTIVE LIVES OF WATER RESERVOIRS

#### Resolution Summary

Water reservoirs provide drinking water supplies directly and indirectly to significant portions of the United States population. Many of these reservoirs were constructed throughout the United States by the United States Army Corps of Engineers and the United States Bureau of Reclamation with anticipated productive lives of 50 to 100 years. A significant percentage of these reservoirs are now approaching 50 years of age and are showing signs of age, such as increased sediment levels that contribute to the loss of storage capacity for drinking water and drought-prevention purposes, as well as the loss of water quality for drinking water supply purposes and the loss of access to recreational opportunities.

In order to save money, it is advisable to address the loss of water storage and increased sediment in water reservoirs before these conditions constitute a crisis.

The Council of State Governments encourages the United States Congress, United States Army Corps of Engineers and United States Bureau of Reclamation to form partnerships with the states to extend the productive lives of reservoirs.

#### Additional Resource Information

The US Army Corps of Engineers: <http://www.usace.army.mil/>

The United States Bureau of Reclamation : <http://www.usbr.gov/>

#### Management Directives

**Management Directive #1:** CSG staff will send copies of this resolution to the Assistant Secretary of the Army (Civil Works), the Commissioner of the Bureau of Reclamation, and the leadership of each state legislature's congressional delegation.

**Management Directive #2:** CSG staff will post this resolution on CSG's Web site and make it available through its regular communication venues at the state and local level to ensure its distribution to the entire state government and policy community.

**THE COUNCIL OF STATE GOVERNMENTS**  
**RESOLUTION TO EXTEND THE PRODUCTIVE LIVES OF WATER**  
**RESERVOIRS**

**WHEREAS**, reservoirs provide drinking water supplies directly and indirectly to significant portions of the United States population; and

**WHEREAS**, reservoirs were constructed throughout the United States by the United States Army Corps of Engineers and the United States Bureau of Reclamation with anticipated productive lives of 50 to 100 years; and

**WHEREAS**, many of those reservoirs are approaching 50 years of age; and

**WHEREAS**, sediment levels in the reservoirs contribute to the loss of storage capacity for drinking water and drought-prevention purposes, as well as the loss of water quality for drinking water supply purposes and the loss of access to recreational opportunities; and

**WHEREAS**, it will be less expensive and less technically challenging to address the loss of water storage and increased sediment in each reservoir before such conditions constitute a crisis for the people of the United States:

**BE IT THEREFORE NOW RESOLVED**, that The Council of State Governments calls upon the United States Congress, United States Army Corps of Engineers and United States Bureau of Reclamation to form partnerships with the states to extend the productive lives of reservoirs; and

**BE IT FURTHER RESOLVED**, that members of these partnerships shall enter into suitable arrangements with each state to jointly develop and implement plans to sustain the reservoirs beyond their original design lives. Such plans shall consider the need for future flood protection, water supply and reasonable recreational opportunities; and

**BE IT FURTHER RESOLVED**, that members of these partnerships shall determine needed amendments to statutory and regulatory requirements and procedures in order to meet the objectives necessary to sustain threatened reservoirs beyond their original design lives and shall report needed amendments to the respective state legislatures and the United States Congress by January, 2009; and

**BE IT FURTHER RESOLVED**, that the United States Army Corps of Engineers and United States Bureau of Reclamation make pre-eminent the sustainability of existing reservoirs in perpetuity for flood control, drought management, drinking water supplies and reasonable recreational opportunities; and

**BE IT FURTHER RESOLVED**, that members of these partnerships shall determine needed amendments to statutory and regulatory requirements and procedures to permit payments by the states for water storage and the operation and maintenance of existing reservoirs. Other similar

payments shall be made directly to the United States Army Corps of Engineers and United States Bureau of Reclamation to fund programs that sustain and rehabilitate reservoirs in the states and shall report needed amendments to the respective state legislatures and the United States Congress by January, 2009; and

**BE IT FURTHER RESOLVED**, that payments made by the states to the United States Army Corps of Engineers or United States Bureau of Reclamation to fund reservoir sustainability or rehabilitation, shall constitute payments for their share of operations and maintenance costs and principal and interest on the original contractual obligation; and

**BE IT FURTHER RESOLVED**, that members of these partnerships shall identify and amend statutory and regulatory prohibitions against the management of reservoirs as systems, rather than individually; and

**BE IT FURTHER RESOLVED**, that The Council of State Governments be directed to send an enrolled copy of this resolution to the Assistant Secretary of the Army (Civil Works), the Commissioner of the Bureau of Reclamation, and to the leadership of each state legislature's congressional delegation.

Adopted this 31<sup>st</sup> Day of May, 2008 at the  
CSG 75<sup>th</sup> Anniversary Celebration  
in Lexington, Kentucky

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