NATIONAL CONFERENCE OF STATE LEGISLATURES

POLICIES AND DIRECTIVES

2026 Legislative Summit
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CONSENT CALENDAR

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COMMITTEE: BANKING, FINANCIAL SERVICES AND INSURANCE

POLICY: INSURANCE MODERNIZATION

TYPE: CONSENT DIRECTIVE

Insurance Regulatory Modernization

The National Conference of State Legislatures (NCSL) is committed to state regulation of the business of insurance. NCSL acknowledges the responsibility of states to adjust state systems to meet the needs of the modern economy. NCSL opposes any proposal to establish either a federal or a dual system of regulation of insurance, to cede any state authority to regulate financial institutions involved in the business of insurance or to obtain Congressional ratification of trade agreements that preempt state regulation of insurance.

States and insurance commissioners continue to develop a shared vision of insurance regulatory reform to meet the needs of the modern marketplace while preserving the advantages of the state system. NCSL supports the efforts of states to streamline and simplify insurance regulation. NCSL endorses state participation in the Interstate Insurance Product Regulation Commission, which creates a national state-based system to make regulatory decisions quickly on life insurance products according to uniform national standards.

NCSL believes that state efforts to enact significant reforms in critical areas represent tremendous progress, and NCSL will continue to support further efforts as states move forward to achieve widespread reform in all areas in the years ahead.

State-Federal Partnership

Individually and at the national level, states work to modernize insurance regulation. However, state legislatures recognize a legitimate federal role in promoting well-functioning insurance markets.

Title V of the Dodd-Frank Wall Street Reform and Consumer Protection Act established The Federal Insurance Office (FIO) within the U.S. Department of Treasury. While

NCSL and other state groups were successful in limiting the scope of the FIO's authority, concern remains that the FIO will serve as a vehicle to promote a greater federal role in the historically state-regulated industry of insurance.

Therefore, NCSL opposes any administrative action by the FIO or federal legislation that: relies on wholesale preemption of state authority, would compel state compliance with federal standards or those of any non-governmental third party, or conditions, restricts or redirects state insurance revenues, including insurance premium taxes, fees and fines, either directly or as a condition of a state's refusal to submit to federal standards or federal efforts to commandeer a state executive branch official to participate in a federal regulatory program.

Moreover, some in Congress and industry support federal legislation to establish a single federal regulator of insurance or allow for dual federal and state insurance regulation. NCSL opposes any provision of federal legislation that preempts state authority through the creation of a federal insurance official, commission or entity with the authority to regulate insurance, to implement federal standards, to enforce state compliance with federal standards, or to initiate or participate in judicial proceedings to resolve differences between federal standards and state law.

State legislators perform a critical role in the development of insurance public policy. However, despite this important function, state legislators are oftentimes overlooked for service on federal advisory boards and committees related to the regulation of the business of insurance. Recognizing this recurring oversight, NCSL requests an enhanced effort from the federal government to incorporate state legislators onto associated insurance advisory panels.

Insurance Company Solvency

The safety and soundness of insurance companies operating in the United States are the prime objective of state insurance regulation. State legislatures have endeavored to strengthen state insurance departments and to create standards for financial regulation that have improved the solvency of insurance companies.

NCSL opposes any proposal to establish federal standards for state solvency regulation that cedes any authority to federal agencies to regulate financial institutions involved in the business of insurance, including congressional ratification of trade agreements that would preempt state regulation of insurance for solvency purposes. Although NCSL continues to support the National Association of Insurance Commissioners' Financial Regulation Standards and Accreditation Program, NCSL acknowledges that state legislatures and governors have the responsibility to enact policy, which state regulators enforce. NCSL recognizes that interstate compact proposals have the potential of addressing binding uniformity and effectiveness in specific areas of regulation.

NCSL also objects to actions taken or contemplated by the Internal Revenue Service or other federal agencies to assert priority claims to the assets of failed insurers. The states should first be allowed to distribute an insolvent company's assets to pensioners, family businesses, other policyholders and others protected by the McCarran-Ferguson Act's delegation of the business of insurance to the states.

In the same vein, NCSL is concerned by federal bankruptcy rulings under the federal bankruptcy code that would allow alien insurers and reinsurers to move certain trust fund assets to bankruptcy proceedings in their domicile country. The trust funds established by alien insurers and reinsurers are to serve as collateral for insurance and reinsurance underwriting in the United States. Federal bankruptcy rulings have allowed such alien insurers and reinsurers to be exempt from state solvency regulation and have placed these collateral trust funds out of the reach of state insurance departments, which are solely responsible for solvency protection. NCSL urges Congress to rectify this situation by amending federal law to eliminate or limit this exemption for alien insurers and reinsurers under the bankruptcy code.

Insurance Information Security

NCSL opposes any federal effort to preempt state laws and regulations or to enact federal standards that address the use of financial and credit information in insurance.

Insurance Fraud-Federal Criminalization

NCSL recognizes the toll that policyholder and claimant initiated fraud has on the cost of insurance and the solvency of the insurer. We applaud the action taken in various states to pass laws that make it more difficult to file a false claim, increase the penalties for those who are guilty of fraudulent activities, and expand state insurance department fraud units.

NCSL believes that the prosecution of policyholder and claimant fraud should and must remain in the jurisdiction of state and local law enforcement officials. However, in cases of internal insurer fraud that may be the result of interstate and international conspiracies to defraud, loot or plunder an insurance company, states and the federal government should cooperate to prosecute such criminal activity.

As a result of financial services modernization, the various federal and state financial institutions regulators need to coordinate anti-fraud activities. However, federal legislation to assist the coordination of state and federal anti-fraud activities should not unnecessarily preempt state anti-fraud laws and regulations nor grant audit or subpoena authority to a federal entity over a state agency operating under appropriate state constitutions and laws.

NCSL's endorsement of federal involvement in the criminal prosecution of certain kinds of insurance fraud does not diminish our support for continued state regulation of the insurance business. Federal criminal sanctions will assist state regulators in state efforts to prevent future insolvencies.

Equal Access to FBI Criminal History Records

State regulators should have efficient access to the Federal Bureau of Investigation’s (FBI) Criminal Justice Information System in order to establish dependable procedures for licensing officers, directors, and agents of insurance companies across the United States.

NCSL calls on Congress to give state insurance regulators statutory access to FBI fingerprint files. This information is currently available to federal and state banking and securities regulators. Access will help safeguard insurance consumers from the unnecessary risk of having known fraud artists or violent offenders engaged in the insurance business.

Natural Disaster Mitigation and Insurance

NCSL urges Congressional action that would: (a) provide federal grants, tax credits or deductions to assist consumers to strengthen their homes to better withstand catastrophic natural disasters, including by supporting a federal tax-advantaged catastrophe savings account that helps to facilitate pre-event mitigation and post-event recovery by allowing consumers to accumulate funds to both pay for expenses and insurance deductibles and (b) support state innovations and efforts that promote and enhance the ability of existing insurance and reinsurance mechanisms to cope with catastrophic natural disasters, such as providing grants or funds to state-created disaster mitigation programs. However, any such action must not displace private sector risk transfer mechanisms, adversely impact a state's ability to levy premium taxes, regulate the business of insurance or set solvency standards for property and casualty insurers.

Terrorism Risk Insurance

NCSL requests Congress work with state insurance regulators to ensure that the property and casualty insurance and group life insurance industries develop the products to protect Americans from financial losses associated with terrorism and to ensure an available and affordable insurance market for American consumers and businesses.

NCSL continues to believe that any reauthorization of the Terrorism Risk Insurance Act should recognize the temporary nature of the program and therefore encourage efforts to further promote development of the private insurance markets. Any federal plan for a temporary and limited federal backstop for terrorism insurance coverage must not adversely impact a state’s ability to levy premium taxes, regulate the business of insurance and set solvency standards for property and casualty and group life insurers.

COMMITTEE: BANKING, FINANCIAL SERVICES AND INSURANCE

POLICY: PRESERVING STATE AUTHORITY TO REGULATE CRYPTOCURRENCY KIOSKS

TYPE: CONSENT RESOLUTION

WHEREAS, cryptocurrency kiosks, often located in convenience stores, gas stations and grocery stores, allow consumers to convert cash to digital assets and transmit those assets to a wallet address. These transactions are frequently irreversible, making kiosks attractive for fraud schemes.

WHEREAS, in 2025, the FBI received over 13,460 complaints involving cryptocurrency kiosks, with reported losses exceeding $389 million.

WHEREAS, state and local law enforcement have reported a growing pattern of scammers coercing consumers into using cryptocurrency kiosks to send funds to fraudsters.

WHEREAS, states are acting as laboratories of democracy by adopting a variety of approaches to protect consumers and deter fraud at cryptocurrency kiosks, such as:

- Licensing, registration and supervision of kiosk operators.
- Mandatory disclosures and prominent fraud warnings at kiosks.
- Transaction limits.
- Fee caps and transparent pricing to reduce excessive charges that can compound losses.
- Refund rights and other remediation for victims of fraud or coerced transactions.
- Statewide prohibitions on cryptocurrency kiosks.

NOW, THEREFORE, BE IT RESOLVED that the National Conference of State Legislatures (NCSL) supports the authority of states to regulate cryptocurrency kiosks to protect consumers, prevent fraud, ensure transparent pricing and disclosures and provide effective enforcement.

BE IT FURTHER RESOLVED that NCSL opposes federal legislation or regulation that would preempt, limit or weaken state consumer-protection, anti-fraud, licensing, supervisory or enforcement authority over cryptocurrency kiosks.

BE IT FURTHER RESOLVED that if Congress creates national rules for cryptocurrency kiosks, NCSL urges Congress to make clear that states can still adopt and enforce stronger consumer protections, such as licensing, registration, disclosures, fraud warnings, transaction limits, fee transparency, refund/remediation rights, as well as broader restrictions or prohibitions.

BE IT FURTHER RESOLVED that NCSL encourages Congress and federal agencies to consult early and meaningfully with states and state legislative organizations when developing any kiosk-related rules, guidance or enforcement priorities, and to coordinate with state legislators, regulators and attorneys general to combat fraud.

BE IT FINALLY RESOLVED that NCSL urges Congress and federal agencies to support information sharing and consumer education efforts consistent with state-led strategies to reduce cryptocurrency kiosk fraud.

COMMITTEE: BANKING, FINANCIAL SERVICES AND INSURANCE

POLICY: PRESERVING STATE AUTHORITY TO REGULATE EARNED WAGE ACCESS PRODUCTS

TYPE: CONSENT RESOLUTION

WHEREAS, earned wage access (EWA) services allow workers to access earned but unpaid wages prior to a scheduled payday through products that may be employer-integrated or direct-to-consumer.

WHEREAS, state policymakers are actively evaluating EWA in light of consumer protection, transparency, fee structures, repayment practices and product design, including questions regarding whether and when EWA products should be treated as loans or distinct financial products.

WHEREAS, states have adopted different regulatory approaches to EWA based on state consumer protection frameworks and market conditions, resulting in a diverse set of policy models across the country.

WHEREAS, NCSL recognizes that financial services regulation of nonbank companies is traditionally performed by the states, and states are often best positioned to address emerging risks, enforce consumer protections and tailor requirements to local economies and communities.

WHEREAS, federal legislative proposals have included provisions that would preempt state licensing, registration and disclosure requirements and classification for EWA products, raising concerns about disrupting state oversight and experimentation in a rapidly evolving market.

NOW, THEREFORE, BE IT RESOLVED that the National Conference of State Legislatures (NCSL) supports the authority of state legislatures and state regulators to define, regulate, supervise and enforce EWA products and providers, including authority to determine appropriate product classification and consumer protection requirements based on state law.

BE IT FURTHER RESOLVED that NCSL recognizes and supports states' ability to pursue different policy approaches to EWA, including EWA-specific licensing/registration frameworks, disclosure and fee transparency requirements, oversight mechanisms and classifications, reflecting the laboratories-of-democracy role of states.

BE IT FINALLY RESOLVED that NCSL urges Congress and federal agencies to refrain from enacting federal legislation or regulations that preempt, invalidate or otherwise limit state EWA laws.

COMMITTEE: **BANKING, FINANCIAL SERVICES AND INSURANCE**

POLICY: **URGING LONG-TERM REAUTHORIZATION AND TARGETED REFORMS TO THE NATIONAL FLOOD INSURANCE PROGRAM**

TYPE: **CONSENT RESOLUTION**

WHEREAS, flooding is one of the most common and costly natural disasters in the United States, and flood damage is generally not covered by standard homeowners' insurance, leaving families, businesses and communities financially vulnerable following flood events.

WHEREAS, maintaining access to affordable flood insurance is critical for households and communities.

WHEREAS, the National Flood Insurance Program (NFIP), administered by the Federal Emergency Management Agency (FEMA), provides the primary source of flood insurance coverage for millions of policyholders and operates through a partnership with more than 22,000 participating communities that adopt and enforce floodplain management standards.

WHEREAS, the NFIP must be periodically reauthorized by Congress, and repeated short-term extensions create uncertainty for policyholders, real estate markets and governments; a lapse in authorization can prevent the issuance or renewal of policies and disrupt housing transactions.

WHEREAS, states and local governments play a central role in reducing flood risk through land use planning, building codes, floodplain management, infrastructure investment and hazard mitigation programs that protect lives and property.

WHEREAS, the NFIP faces long-term financial challenges driven in part by severe flood events and a relatively small number of repeatedly flooded properties that account for a disproportionate share of claims, highlighting the need for targeted mitigation efforts that reduce future losses.

WHEREAS, accurate and up-to-date flood mapping and transparent risk information are essential for state and local planning, individual decision-making and fair insurance pricing, and stakeholders have called for improved mapping, better data access and clearer communication of risk.

WHEREAS, the NFIP is most effective when it operates as a strong federal–state–local partnership that provides flexibility for states and communities to implement solutions tailored to their unique geography, risks and policy environments.

NOW, THEREFORE, BE IT RESOLVED that National Conference of State Legislatures (NCSL) urges Congress to enact long-term reauthorization of the NFIP to provide certainty and stability for policyholders, lenders and state and local governments, and to reduce the risks associated with repeated short-term extensions.

BE IT FURTHER RESOLVED that NCSL urges Congress to ensure that flood insurance remains accessible and affordable by pairing risk-based insurance rates with targeted assistance for households that may struggle to afford coverage, recognizing that maintaining participation in the program helps reduce uninsured losses and supports faster recovery following disasters.

BE IT FURTHER RESOLVED that NCSL supports policies that promote predictable and manageable premium changes such as reasonable limits on annual increases and flexible payment options so that households and communities are not subject to sudden and disruptive cost burdens.

BE IT FURTHER RESOLVED that NCSL urges Congress to prioritize investments in pre-disaster mitigation, including efforts such as elevating structures, improving drainage and infrastructure and supporting voluntary property-level and community-level risk reduction strategies, which can lower long-term costs and reduce future disaster impacts.

BE IT FURTHER RESOLVED that NCSL supports targeted strategies to address repetitive loss properties, which represent a significant share of program costs, and encourages streamlining federal mitigation programs to improve access for states and local governments.

BE IT FURTHER RESOLVED that NCSL urges Congress to invest in modern, accurate flood mapping and to ensure that state and local governments have access to reliable and timely data needed for planning, infrastructure investment and emergency management.

BE IT FURTHER RESOLVED that NCSL supports improved transparency in risk modeling and insurance pricing, including clear communication tools and accessible processes for correcting mapping or rating errors, so that property owners and communities can better understand and respond to flood risks.

BE IT FURTHER RESOLVED that NCSL encourages Congress to address the long-term financial sustainability of the NFIP, including consideration of debt reduction, program efficiency and administrative improvements, while ensuring that reforms do not undermine affordability or participation.

BE IT FURTHER RESOLVED that NCSL urges Congress to preserve and strengthen the federal–state–local partnership that underpins the NFIP by supporting state and local capacity to administer floodplain management and mitigation programs, and by ensuring that states retain the flexibility to tailor policies and approaches to their unique needs and conditions.

BE IT FURTHER RESOLVED that Congress should ensure any reforms to the NFIP respect the longstanding role of states and local governments in land use, insurance regulation and floodplain management, and avoid federal preemption of state and local authority.

BE IT FINALLY RESOLVED that NCSL supports the development of responsible private flood insurance options, overseen by state regulators, which can complement the NFIP, expand consumer choice and increase overall coverage, provided that appropriate consumer protections are maintained.

COMMITTEE: BUDGETS AND REVENUE

POLICY: STATE SOVEREIGNTY FOR GAMING

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) believes that the federal government must respect the sovereignty of states to allow or prohibit games of chance and skill within their borders.

Internet Gambling

The National Conference of State Legislatures (NCSL) believes the federal government must respect the sovereignty of states to allow or to prohibit Internet gambling by its residents.

The 2011 ruling by the United States Justice Department on the Federal Wire Act of 1961, 18 U.S.C. §1084, clarifies that intra-state online gambling is lawful. Any effort by Congress or the administration to reverse this ruling is preemptive and diminishes the flexibility of state legislatures to be innovative and responsive to the unique needs of the residents of each state.

NCSL requests Congress to consider the perspective of the states as it examines this issue and asks that it involve state legislators in any federal efforts that seek to reform the regulation of online gaming. NCSL strongly opposes any effort by the federal government to overturn the Justice Department's ruling or consideration of legislation overruling state authority by legalizing or regulating gambling at the federal level. NCSL also requests that federal lawmakers be respectful of state legislatures that prohibit online gaming or other forms of gaming within their state.

Sports Gambling

The National Conference of State Legislatures (NCSL) believes the federal government must recognize the sovereignty of states to allow or to prohibit sports gambling by its residents.

On May 14, 2018, the Supreme Court of the United States declared the Professional and Amateur Sports Protection Act (PASPA), 28 U.S.C. §§ 3701-3704, unconstitutional as violative of the Court's 10th Amendment anti-commandeering jurisprudence. The Court's judgement on PASPA exemplifies the failings of a one-size-fits-all federal solution to complex questions of policy, regulation and law enforcement. With the shackles of federal preemption removed, states can begin creating innovative and tailored sports gambling policies that represent the will of voters.

The choice to legalize sports wagering is an important policy question, the answer to which is different among our nation's diverse states. Forcing state policy flexibility and innovation to retreat under threat of federal preemption not only undermines the basic tenants of our nation's founding documents, but it strains state-federal relations and suppresses the direct will of voters. Conversely, by encouraging state policy innovation and unique legislative solutions, federalism is strengthened and voters are more engaged with the legislative process.

NCSL requests Congress respect the sovereignty of states to regulate and tax sports gambling in the current post-PASPA environment. This includes not preempting states' legislative authority to legalize, regulate and tax sports gambling activities. NCSL also requests that federal lawmakers respect state legislatures that chose to maintain their prohibitions on sports gambling and other forms of gambling within their state.

Daily Fantasy Sports

The National Conference of State Legislatures (NCSL) believes the federal government must respect the sovereignty of states to allow or to prohibit daily fantasy sports by its residents.

The Unlawful Internet Gambling Enforcement Act of 2006 specifically excludes a fantasy or simulation sports game that "has an outcome that reflects the relative knowledge of the participants, or their skill at physical reaction or physical manipulation (but not chance), and, in the case of a fantasy or simulation sports game, has an outcome that is determined predominantly by accumulated statistical results of sporting events". Therefore, NCSL will oppose any effort by Congress or the administration to diminish the flexibility of state legislatures to be innovative and responsive to the unique laws and regulations of each state.

NCSL strongly opposes any effort by the federal government that would overrule state authority by regulating daily fantasy sports at the federal level. NCSL believes the federal government must recognize the sovereignty of states to regulate and tax daily fantasy sports. NCSL also requests that federal lawmakers be respectful of state legislatures that prohibit daily fantasy sports within their state.

Prediction Markets

The National Conference of State Legislatures (NCSL) urges the federal government to respect the sovereignty of states to establish legal and regulatory frameworks for event contracts and prediction markets.

States have long served as the primary authority for gaming activities-a role reaffirmed by the Supreme Court's decision of *Murphy v. National Collegiate Athletic Association*. This authority encompasses sports wagering, fantasy sports and lottery products, supported by consumer protection, licensing and tax frameworks tailored to each state's policy priorities.

As federally regulated derivatives exchanges increasingly list event contracts tied to outcomes such as sports, elections and other contingent events, these products closely resemble and directly compete with activities governed under state gaming laws.

Therefore, NCSL maintains that states retain the authority to govern prediction markets and event contracts in the same manner as other entities operating in this space. These offerings should be subject to comparable state oversight to ensure consistency, transparency and appropriate consumer protections.

Accordingly, NCSL calls on Congress and federal regulators to preserve state authority by ensuring that prediction markets and event contracts may be structured and administered by states consistent with their existing gaming frameworks. NCSL opposes any federal preemption that would limit states' ability to enforce their own consumer protection, revenue policy and access and licensing requirements in this area.

Finally, NCSL emphasizes the importance of strong state-federal cooperation and urges federal policymakers to consult with state legislatures before taking any action that could affect state authority.

Recogntion of Tribal Gaming Sovereignty and Tribal-State Gaming Compacts

The National Conference of State Legislatures recognizes that federally recognized Indian Tribes are sovereign governments with federally recognized authority to regulate gaming within their respective jurisdictions pursuant to the Indian Gaming Regulatory Act (IGRA), 25 U.S.C. §§ 2701–2721. As Congress and federal regulators consider legislation, regulations, or policies involving prediction markets, event contracts, internet gaming, sports wagering, daily fantasy sports, or other emerging gaming activities, NCSL urges that such actions respect Tribal sovereignty, existing Tribal-State gaming compacts, and strengthens government-to-government relations between federally recognized Indian Tribes and federal, state, and local governments.

COMMITTEE: **BUDGETS AND REVENUE**

POLICY: **UNITED STATES POSTAL SERVICE FUNDING**

TYPE: **CONSENT DIRECTIVE**

The United States Postal Service (USPS) is a critical component of the national infrastructure upon which state governments and their residents depend. States rely on USPS for tax administration, benefits delivery, election administration, court notices, and intergovernmental communications. Any disruption to postal services creates cascading fiscal and administrative burdens for state and local governments. The impact of postal service reliability is felt most acutely in rural and underserved communities, where USPS is often the sole means of receiving prescription medications, government benefits, legal notices, and access to commerce.

Federal Funding and Financial Stability

The National Conference of State Legislatures supports dedicated, sustained federal funding to ensure the long-term financial stability and infrastructure modernization of the USPS. Congress should take a comprehensive approach that addresses the structural cost burdens that have historically threatened USPS solvency, as well as the capital investment needs of an aging postal infrastructure and facility network. NCSL opposes service reductions or facility closures that disproportionately harm rural and low-income populations without meaningful prior consultation with affected states and communities.

State Flexibility and Federal Preemption

NCSL believes states should retain flexibility to enter postal service partnerships and contracts without federal preemption. USPS provides essential support to state workforce programs, Medicaid and benefits agencies, and election infrastructure, and any restructuring of postal operations should account for these dependencies. NCSL urges Congress and the Administration to ensure that any changes to USPS operations, funding, or organizational structure are conducted transparently and in coordination with state fiscal officials, with adequate notice and transition time to allow states to plan and budget accordingly.

COMMITTEE: BUDGETS AND REVENUE

POLICY: STATE TAX SOVERIGNTY

TYPE: CONSENT RESOLUTION

WHEREAS, the National Conference of State Legislatures is committed to preserving the authority of state legislatures to regulate and respond to the needs of their residents; and

WHEREAS, state legislatures serve as laboratories of democracy and are best positioned to craft policies that reflect local values, priorities, and conditions; and

WHEREAS, the National Conference of State Legislatures supports the right of states to create and enforce their own fiscal policy and tax laws; and

WHEREAS, states depend on fair and modern tax systems to fund important public services; and

WHEREAS, some federal tax laws were created for a time when most business was done locally and in person, not online and across distances; and

WHEREAS, oftentimes, these federal tax laws have since been defined through court cases and multistate cooperation reflecting today's modern economy and providing commonality and broad understanding for state governments and commercial actors alike; and

WHEREAS, these older, yet defined laws, are now being looked at, by possibly expanding existing exemption language, to prevent states from taxing businesses that have no physical presence in the state but still generate revenue from activities within the state, especially through digital products, services, websites, or data collection; and

WHEREAS, this limits states' ability to fairly tax all businesses and may put local businesses at a disadvantage; and

WHEREAS, such interpretations weaken the role of states and limit their ability to respond to today's economy;

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures opposes any federal policy or interpretation that stops states from taxing businesses that have a strong economic or digital connection to the state; and

BE IT FURTHER RESOLVED, that NCSL urges Congress and federal agencies not to expand outdated limits on state tax authority, including refraining from creating new exemptions or refining established definitions and to respect the rights of states to manage their own tax systems.

COMMITTEE: CHILDREN, FAMILIES, AND HUMAN SERVICES

POLICY: NUTRITIONAL PROGRAMS AND ASSISTANCE

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) supports the state-federal partnership to provide nutrition assistance to those in need. State legislators are concerned about the vast numbers of hungry individuals, and particularly the severity of hunger among childhood and aging populations. The Supplemental Nutrition Assistance Program (SNAP), The Emergency Food Assistance Program (TEFAP), the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and Child Nutrition programs alleviate and prevent hunger and enable families to improve their health and be more productive at school and at work.

SNAP: Supplemental Nutrition Assistance Program/Food Stamps

NCSL urges continued federal funding of the SNAP program at levels sufficient to provide assistance to all who are eligible or in need due to the rising cost of food. NCSL also urges the administration and Congress continue to making SNAP and Temporary Assistance to Needy Families (TANF) block grants more compatible through the broad-based categorical eligibility option. This is a policy option for states by which households may become categorically eligible for SNAP because they qualify for Temporary Assistance for Needy Families or state maintenance of effort-funded benefits. In times of economic hardship, SNAP, along with other nutrition assistance programs, offers a vital safety net for low-income Americans.

NCSL opposes proposals that would impose costly administrative burdens and un-funded mandates on state governments or remove state flexibility that is critical to cost-effective and accurate administration of SNAP.

NCSL supports U.S. Department of Agriculture (USDA) initiatives to provide administrative flexibility through the waiver process by allowing states to implement administrative efficiencies such as telephone interviews, Combined Application Projects, simplified application forms, a SNAP mobile, and partnerships with community stakeholder organizations to improve quality, efficiencies, and overall access to nutritious food. NCSL supports additional waivers that increase administrative flexibility during a public health emergency.

SNAP Funding During a Government Shutdown

- NCSL urges Congress to ensure full funding for all who are eligible for SNAP through mandatory appropriations, thereby providing consistent support and stability for both states and program recipients in the event of a government shutdown or premature exhaustion of annual appropriations.
- NCSL urges Congress and the administration to provide automatic authority for SNAP benefits to continue during a federal shutdown using advance appropriations or clearly authorized contingency funding sufficient to cover full monthly benefits.

SNAP Benefits and Program Design

NCSL recommends that the administration and Congress incorporate the following issues regarding SNAP benefits and program access into future legislative and regulatory action:

- Elimination of the annually indexed caps on excess shelter deductions to allow families to deduct high shelter costs;
- Exclusion of the first $150 a month by a non-custodial parent paid as child support from consideration as income in determining the SNAP allotment;
- Elimination of the rules concerning the value of a vehicle that a recipient may own and still receive SNAP benefits;
- Federal support and technical assistance for state outreach;
- Enhancement and simplification of application and eligibility determination procedures by supporting online screening tools, permitting seniors and disabled people to apply at Social Security offices, reducing the length of application forms and allowing use of joint applications;
- Continuation of state options regarding child support cooperation as a condition of eligibility for SNAP. NCSL supports the elimination of the fee for SNAP recipients' child support collection efforts as a further incentive toward meeting child support obligations.

- Continuation of state options to disqualify SNAP-eligible individuals who fail to cooperate with child support enforcement authorities or who are in arrears on child support obligation. NCSL supports this option and opposes changes that would mandate these actions;
- Permit the promotion and acceptance of SNAP at farmers' markets and other non-grocery store, produce-oriented venues, for example: from a small farmer; and
- Continue to support current state options regarding categorical eligibility and "heat and eat."
- Continue funding the permanent Summer EBT program.

SNAP and Legal Immigrants

NCSL supports access to SNAP for eligible legal immigrant children and families and recognizes the critical role nutrition assistance plays in supporting household stability.

NCSL notes that federal legislation in 2025 significantly narrowed SNAP eligibility for lawfully present non-citizens, limiting eligibility primarily to lawful permanent residents and a small number of additional categories and eliminating eligibility for certain populations previously able to participate.

These changes have created administrative complexity for states, particularly in mixed-status families during application and recertification processes.

NCSL urges the administration and Congress to:

- Ensure clear, consistent and timely federal guidance on eligibility determinations;
- Provide sufficient administrative funding and flexibility to support implementation;
- Engage state lawmakers in decisions affecting eligibility; and
- Consider the impact of eligibility restrictions on states and households in future policy deliberations.

SNAP Employment and Training Program (SNAP E&T)

NCSL supports the objectives of self-sufficiency promoted by the SNAP Employment and Training program (SNAP E&T) and will work with the federal government toward that goal. NCSL urges the administration and Congress to provide funding to support states in implementing work requirements and allow states flexibility to create, fund, and integrate SNAP E&T programs with similar state programs, particularly TANF, the Workforce Innovation and Opportunity Act (WIOA) and Medicaid. NCSL also supports program simplification and coordination between TANF, Medicaid and SNAP.

In addition, NCSL appreciates the USDA's previous willingness to grant states waivers of the three-month time limit for non-working able-bodied adults without dependents in areas impacted by an insufficient number of jobs and high unemployment and USDA's technical assistance to states. NCSL urges Congress and the administration to provide states with maximum flexibility to respond to local employment conditions.

SNAP Program Quality Control/Judicial Waiver

NCSL strongly supports moving away from a system based on error rates to one that awards bonuses for accuracy. NCSL urges the federal government to improve processes related to waiver appeals and reinvestment of claims, including outcome measures of program goals.

State legislators also support efforts to:

- Focus on program measurement and evaluation through positive incentives and urges Congress to reexamine funding levels.
- Continue to settle Quality Control claims through state reinvestment in program improvement.
- Distinguish administrative errors from fraud.
- Pair accountability with technology modernization funding.

Electronic Benefit Transfer and Automated Systems (EBT)

NCSL supports the current implementation of EBT systems and supports allowing cards to be used for multiple programs.

NCSL believes states should be allowed to negotiate the terms of EBT with food marketers, farmers markets and financial institutions. NCSL opposes preemption of state laws that govern financial institutions pertaining to a nationwide EBT system. As additional income support programs are added to EBT systems that are state-only or state-federally governed, the federal government must not preempt state benefits law. NCSL urges Congress and the administration to provide federal funding to support state efforts to transition EBT to chip security technology.

SNAP Program Flexibility and Waivers

NCSL believes that the federal waiver process should recognize state participation rates and need. States need flexibility for further innovation, and state legislators prefer to have options rather than waivers for policy changes that are not in need of further evaluation. State legislators need to be included in the waiver process prior to a waiver being granted. Plan approval and the results of demonstration grants should be shared with state legislators.

NCSL supports the authority for states to use, at their option, contractors to support administrative and eligibility functions in SNAP. NCSL asks the federal government to remove barriers to this option so that states can meet surges in demand, address workforce shortages, align SNAP flexibility with other programs and ensure the right benefits go to the right people at the right time.

Emergency Food Assistance and Commodity Distribution

NCSL urges Congress to fully fund The Emergency Food Assistance Program (TEFAP) at its authorized level. NCSL believes that Congress should provide adequate administrative funds to facilitate the efficient distribution of food and should include sufficient safeguards to prevent program abuse. NCSL urges the USDA to make additional surplus commodities available to states, upon request, when additional surplus food becomes available. We also urge the USDA to provide administrative funding support for sorting, packaging, processing, and transporting donated food. NCSL supports federal programs that deliver commodities through farmers' markets and the child nutrition commodity programs.

Child Nutrition

NCSL urges Congress to reauthorize legislation to continue and fully fund child nutrition programs. NCSL urges the USDA to emphasize the importance of nutritionally appropriate foods and avoiding those high in sugar, fat and sodium. NCSL also urges Congress to protect, strengthen and improve the child nutrition programs by building on the Healthy, Hunger Free Kids Act of 2010 to ensure that children continue to have access to nutritious meals throughout the year.

NCSL urges Congress to invest in the ability and resources of states to provide access to healthy and affordable meals before, during and after school for all children, all year long and to ensure low-income children's access to and participation in child nutrition programs. NCSL supports accurate eligibility determination in federal programs, but urges Congress to ensure efforts to serve only eligible children do not deter program participation.

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

NCSL supports the WIC program and its objectives. NCSL encourages the administration and Congress to ensure flexibility for the time it takes to process and approve applications for WIC applicants and ensure continued financial support to maximize WIC coverage for women, infants and children in need.

NCSL supports congressional efforts to improve program administration by authorizing limited borrowing between fiscal years for the WIC program, and by requiring the timely apportionment of WIC funds to the states.

NCSL supports funding to allow technological improvements to WIC and to allow the implementation of WIC Electronic Benefits Transfer (EBT). NCSL also urges Congress to increase the flexibility of WIC appointments through increased access to remote appointments and extended certification periods as well as to support equitable access to the WIC food package through modernization efforts that increase access to online ordering, online purchasing, and delivery.

School Breakfast and Lunch Programs

NCSL strongly supports the National School Lunch Program and the School Breakfast Program as critically important to the well-being and education of young children. NCSL supports USDA reimbursements to schools for free, reduced-price, and paid meals under the provisions of the school lunch and school breakfast programs.

NCSL supports current flexibility in the Community Eligibility Provision, which helps reduce paperwork for parents and schools with a high percentage of eligible students. NCSL urges Congress to expand the well-documented benefits of the Community Eligibility Provision, which allows schools to serve meals at no charge to all students if enough are identified as qualifying for other assistance programs, by lowering the minimum identified student percentage (ISP), increasing the ISP multiplier, expanding direct certification with Medicaid data nationwide, and supporting the improvement of direct certification systems.

NCSL urges the USDA to emphasize nutritionally appropriate foods. NCSL supports the USDA's proposal to create a pilot program for school districts to provide more nutritious alternatives that would allow experimentation without risk of financial loss to those schools.

NCSL supports permanent authorization of the Summer Electronic Benefits Transfer for Children program. NCSL also supports making funding for the program mandatory, and expanding the reach of the program to kids eligible for free or reduced-price school meals in all states, tribal nations and localities in order to close the summer meals gap. NCSL urges Congress to permanently authorize the Pandemic Electronic Benefits Transfer system, allowing authorities to quickly deliver increased nutritional aid during times of crisis.

Summer Food Service Program for Children

NCSL supports the federal Summer Food Service Program for Children and restoration of meal reimbursement rates that allow low-income children to receive a nutritious lunch in the summer. NCSL supports policies that will make it easier for non-profit community groups and public entities to sponsor the program and will allow the program to be available in more neighborhoods and rural areas. NCSL urges Congress to allow for more flexibility around where children are able to access and eat summer meals by allowing for non-congregate models in communities where summer meals sites are not available and by lowering the threshold required to operate sites open to all children.

Child and Adult Care Food Program

NCSL supports flexibility to allow seniors to transport uneaten food they receive while participating in the Child and Adult Care Food Program. NCSL opposes the elimination or reduction of the Child and Adult Care Food Program.

NCSL strongly supports efforts to expand Child and Adult Care Food Program to older children in after-school programs, and to ensure that the program is available in more neighborhoods and rural areas. Additionally, NCSL supports state options to expand this program to evening meals in after-school programs.

Combating Childhood and Adult Obesity

NCSL supports federal efforts to find solutions for childhood and adult obesity without imposing mandates. NCSL urges Congress to fully fund these programs and supports a proposal to fund a pilot program for the states with the greatest incidence of childhood and adult obesity to develop policies and procedures to reduce obesity.

Nutritional Quality Measures for Older Adults

NCSL supports the quality measures used by the Centers for Medicare and Medicaid Services (CMS) to quantify health care processes, outcomes, patient perceptions, and systems that are associated with the ability to provide quality health care and/or that relate to “quality goals” for health care. CMS introduced four electronic clinical quality measures that would cover screening for malnutrition, assessment of those screened as at-risk for malnutrition, diagnosis of malnutrition, and creation of a nutrition care plan. NCSL urges CMS to adopt quality measures on malnutrition to heighten the importance of identification, evaluation, and treatment of malnutrition in the elderly.

NCSL also supports establishing malnutrition care as a measure of quality health care. NCSL urges the administration and Congress to support state efforts to reduce malnutrition in the elderly and heighten awareness of nutrition in elderly communities.

COMMITTEE: **CHILDREN, FAMILIES, AND HUMAN SERVICES**

POLICY: **NCSL RECOGNIZES THE IMPACT OF “BENEFIT CLIFFS”**

TYPE: **CONSENT DIRECTIVE**

NCSL supports efforts to minimize “benefits cliffs” or “the cliff effect,” which refers to the sudden decrease in or elimination of public benefits that can occur with a small increase in personal earnings. When income increases families sometimes lose some or all economic supports, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Medicaid and health care, child care assistance, housing subsidies and school breakfast and lunch programs.

NCSL strongly encourages federal partners to work with states and territories to find a timely solution that would remove barriers or individuals to enter or remain in the workforce and increase their household income. NCSL supports federal efforts, in conjunction with states and territories, that would explore how to better align TANF, SNAP, Child Care and Medicaid as work supports, from eligibility and enrollment to recertification, training and employment – and how to better align these work supports to mitigate benefit cliffs and increase family financial security.

COMMITTEE: CHILDREN, FAMILIES, AND HUMAN SERVICES

POLICY: ADDRESSING IMPLEMENTATION CHALLENGES OF THE FAMILY FIRST PREVENTION SERVICES ACT

TYPE: CONSENT RESOLUTION

WHEREAS, statistics show that growing up in a safe and supportive home provides children with essential resources and emotional stability, which significantly improves their cognitive, emotional, and long-term success.

WHEREAS, children who experience family separation or enter the foster care system are at a higher risk of behavioral issues, instability, and emotional trauma.

WHEREAS, supporting safe and healthy families and preventing children from entering foster care must be a priority for improving child welfare outcomes and reducing the negative effects on children.

WHEREAS, the Family First Prevention Services Act of 2018 (FFPSA) was intended to provide more federal funding to support state efforts to keep children safely with their families and prevent placement in foster care.

WHEREAS, FFPSA requires states that seek to use Title IV-E prevention services to submit a prevention services plan that explains how the state will assess children and their families for prevention services and which evidence-based services from the federal Prevention Services Clearinghouse they will use.

WHEREAS, FFPSA requires half of state spending on prevention services to be used for programs rated as “well-supported” – the highest tier of evidence – by the Prevention Services Clearinghouse.

WHEREAS, as of December 2025, there were 95 programs in the Prevention Services Clearinghouse that were eligible for inclusion in state plans. Of these, only 20 were rated as “well-supported,” the highest tier of evidence.

WHEREAS, as of FY2023, 42 states, DC, Puerto Rico, and four Tribes have approved prevention services plans, but 60 percent of those jurisdictions had never submitted prevention services reimbursement claims.

WHEREAS, according to data from the Office of the Assistant Secretary for Planning and Evaluation, as of FY2023, Title IV-E reimbursement claims for prevention services accounted for less than two percent of overall Title IV-E program reimbursement claims and Title IV-E prevention services only serve about two percent of the total number of children served by Title IV-E programs.

WHEREAS, a recent report by the Office of the Assistant Secretary for Planning and Evaluation notes that states have faced widespread implementation challenges with FFPSA due to factors including administrative burden, evaluation requirements, and mismatches between community needs and programs with well-supported evidence included in the Prevention Services Clearinghouse.

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges the federal government to work with states to better understand and address challenges to FFPSA implementation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the administration to include the perspectives of state legislators in any regulatory or legislative efforts to update FFPSA.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to provide states with greater flexibility in meeting FFPSA evidence-based service requirements, including expanding the availability and approval of promising and supported practices that address the diverse needs of children and families.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to recognize workforce shortages, provider capacity limitations, and rural service delivery barriers that affect states' ability to implement FFPSA prevention programs.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to simplify federal claiming, reporting, and evaluation requirements associated with Title IV-E prevention services in order to improve state participation and maximize services to children and families.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to ensure states may utilize culturally responsive, community-based, and locally effective prevention services while those programs pursue additional evidence review through the Prevention Services Clearinghouse.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to improve the timeliness and transparency of the Prevention Services Clearinghouse review process so states can more rapidly access reimbursement for effective prevention programs.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that NCSL urges Congress and the Administration to partner with states in evaluating prevention outcomes and sharing best practices.

COMMITTEE: EDUCATION

POLICY: THE STATE-FEDERAL PARTNERSHIP IN POSTSECONDARY EDUCATION

TYPE: CONSENT DIRECTIVE

Reauthorization of the Higher Education Act (HEA) offers another opportunity to renew this country's commitment to accessible and affordable postsecondary education and remove barriers encountered by a changing student population. A strong higher education system supports individual financial success, provides a foundation for healthy state economies and ensures our nation's position in a global economy. When students fall through the cracks, they do not achieve their full potential and neither does our country. The federal government has an important role to play in supporting low-income students, conducting research on innovation and productivity, monitoring national and regional programming efforts, and providing data and technical assistance to help states examine and analyze our institutions.

Postsecondary Affordability

Reauthorization efforts directing federal aid to students who need it most and helping them quickly become productive members in their communities without substantial debt will help local, state, and national economies. If federal aid is limited, there are fiscal impacts for state-funded efforts to support students.

The federal government should ensure adequate federal funding for the Pell Grant program to help reduce dependency on student loans. Congress should review Pell Grant award amounts to guarantee that the purchasing value of this important grant does not continue to erode and consider moving Pell funding to the mandatory side of the federal budget. Congress should also ensure Pell serves the broadest number of students, including adult students enrolled part-time.

The federal government should continue to reduce barriers or obstacles that may prevent students from applying for federal financial aid. Students and their families should be able to complete the FAFSA in a timely manner and their financial aid data should be promptly reported to states and institutions. Each annual FAFSA should be thoroughly vetted and tested before it is made publicly available on its statutorily required deadline of October 1.

A reauthorized Higher Education Act should better support students' understanding of the costs of higher education by requiring universities to communicate financial aid through a standardized offer letter and creating a universal net price calculator.

If Congress considers a new grant program to create a state-federal funding partnership in higher education, the nation's legislators remind Congress that states are primarily responsible for funding and governing their higher education systems. While each state has different traditions and goals for its higher education institutions, all institutions participate in a national higher education marketplace that crosses state lines. Congress must recognize this by ensuring that any new affordability programs can benefit students and institutions of all types in all states and territories. Broad state participation should be a fundamental goal of any state-federal partnership.

A state-federal funding partnership in higher education must:

- provide funding to states in block grants that allow states the flexibility to distribute funds across institutions and state financial aid programs;
- Avoid a state maintenance of effort requirement (MOE). As states continue to prioritize and address competing public needs, federal policy must acknowledge this reality by noting the fiscal constraints states face in satisfying maintenance of effort requirements for important postsecondary programs. If MOE is required, allow states to use a wide range of resources as match for federal dollars, such as state and local funds not used to match another federal program. MOEs should be constructed to provide legislatures certainty they will comply with MOE provisions when budgeting for the upcoming fiscal year;
- continue to defer to state authority in regulating postsecondary tuition levels;
- ensure that eligibility requirements are set at the state level; and
- ensure state legislative authority to appropriate the funds.

The federal government should design college savings incentives at the federal level so as to stimulate and complement, rather than preempt, similar policy initiatives by states and higher education institutions. Legislators support student aid programs that serve state and national economic and workforce priorities.

Accountability

A reauthorized Higher Education Act should emphasize federal efforts to promote transparency and improvement in higher education, rather than pursue expansive affordability or accountability policies, in order to help states and higher education better understand student outcomes and take action to address circumstances where those outcomes fall short of expectations. Legislators strongly urge the federal government to defer to the states' leadership in ensuring the quality of postsecondary education, and to facilitate state efforts to emphasize accountability. While the federal government has a role in monitoring national and regional accrediting bodies, accountability of state higher education programs and institutions is and should remain a state issue. The federal government should continue to support state authorization reciprocity agreements, which support expanded access to quality postsecondary distance learning opportunities nationwide. The terms of state authorization reciprocity agreements should be managed at the discretion of participating states and federal involvement should be minimal and complementary. States, not the federal government, should determine the governance arrangements of any authorization reciprocity agreement.

Teacher Preparation

States have taken the lead in advocating for higher standards for teacher preparation and performance, and vigorously acted to improve assessments of quality. As such, the federal government must refrain from setting national standards. The National Conference of State Legislatures (NCSL) encourages the expansion of several programs embodied in the Higher Education Act and other federal legislation that focuses on teacher quality. States should be included as eligible applicants or encouraged as partners in federal grant projects, so that grant programs can be developed with statewide goals in mind and best practices can be shared broadly.

Student Success

Our country will remain internationally competitive if more high school age, non-traditional students, and working adults not only enroll in colleges and universities, but complete postsecondary credentials and degrees. Ensuring students gain skills competency no matter the means used to obtain that competency will help states and the nation increase productivity, improve competitiveness, and prepare future generations of leaders and citizens. States, working with national foundations, institutions, and private partners, are implementing policies that focus on maintaining access to postsecondary education and improving student performance and outcomes. NCSL supports federal programs that complement state efforts to improve student participation in and completion of postsecondary education. Legislators welcome federal efforts, such as the College Scorecard, that provide prospective students with accurate information on college costs and institution- and program-level student outcomes. Increased transparency is critical to ensuring students are able to make informed postsecondary choices. A reauthorized Higher Education Act should seek to improve the accuracy of student outcomes in federal data collection.

Legislators are keenly aware that students benefit from a seamless progression encompassing preschool through postsecondary education. A growing number of states are looking at education as “P-16” rather than separate systems serving early education, K-12 and postsecondary education and updating or amending their statutes to facilitate this change. Important federal-state educational programs supported by the states, such as the Perkins Act programs and the TRIO program, must be better integrated with state postsecondary policy. The federal government has a significant role and responsibility in working with states and supporting state efforts in college readiness and providing research and technical assistance. Legislators welcome federal efforts to facilitate the exchange of best practices around dual enrollment programs.

A reauthorized Higher Education Act should better support student success by providing greater access to TRIO programs for non-traditional students and increasing meaningful work-based opportunities through the Federal Work-Study program, including allowing students to work for federal Head Start programs.

Student Loans

Increasingly the burden of higher education costs is borne by students and families. This burden consists of significant educational debt held by students and their families.

Crippling education debt slows any recovery and limits state economic growth. Congress and the U.S. Department of Education should ensure that loan repayment and forgiveness programs are managed and administered in a manner that facilitates successful repayment and receipt of authorized benefits for borrowers.

A reauthorized Higher Education Act should better support students' understanding of the costs of borrowing by requiring students to engage in annual loan counseling with enhanced disclosure requirements and notifying students of their uptake of federal aid relative to cumulative limits.

State legislators urge Congress to clarify, through bipartisan agreement, the role and goals of the student loan program and assess the design of loan terms and benefits for borrowers, including loan limits, repayment assistance, and forgiveness options. As the federal government implements new loan limits for graduate and Parent PLUS loans, NCSL urges Congress to permit institutions to inform students and families of loan programs that are authorized, established, or chartered under State law or otherwise approved by the State.

The federal government should also recognize that many states now play a role in ensuring borrowers are treated fairly and receive appropriate consumer protections. The federal government should engage in collaborative federalism with states around providing consumer protections to borrowers and conducting oversight of student loan servicers.

COMMITTEE: EDUCATION

POLICY: STUDENT DATA PRIVACY

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) recognizes the need to ensure that parents and students can trust that data collected—e.g., attendance, course taking, grades and test scores—as part of the educational experience, is kept safe, secure and private. State legislators firmly believe that any efforts to change federal laws and regulations related to the collection, storage and use of student data, must preserve state and local flexibility and provide opportunities to support state autonomy and local control in this area.

Any federal action must:

- Support state capacity to safeguard data by providing technical assistance, cybersecurity support, and data governance resources.
- Align and modernize the multiple federal laws that affect student data while preserving state authority to adopt stronger privacy protections.
- Reduce the burden on states in terms of collecting and reporting data.
- Promote transparency of data collection regarding what student information is collected, how it is used, who may access it, how long it is retained, and whether it is shared with third parties.
- Build the capacity of all stakeholders to use data in a way that promotes educational purposes and allows for personalized or adaptive learning, but protects student privacy.
- Allow state legislative auditors and program evaluators and other appropriate legislative staff access to student data, in a form determined by each state, in order to carry out their state constitutional and statutory duties to audit and evaluate educational programs.
- Promote the building, maintaining and updating of state data infrastructure, including enhancing state longitudinal data systems.

Data Sharing

Advances in educational technology, artificial intelligence, digital learning platforms, and longitudinal data systems have increased both the opportunities and risks associated with student data collection and use. States must retain the authority to establish privacy protections and governance standards that reflect the needs of their communities.

NCSL encourages any federal action to ensure that:

- Student data collection, retention, and sharing should be limited to information reasonably necessary for legitimate educational, administrative, safety, accountability, or research purposes
- Students and families should be protected from the sale, monetization, behavioral advertising use, or other commercial exploitation of student data
- Student information should not be treated as a commercial asset and that appropriate transparency, human oversight, and accountability should govern the use of artificial intelligence and other emerging technologies in educational settings.

COMMITTEE: EDUCATION

POLICY: FEDERAL FUNDING FOR SPECIAL EDUCATION

TYPE: CONSENT DIRECTIVE

The nation's legislators support equal opportunity for all citizens and support the purposes and spirit of the Education for All Handicapped Children Act of 1975. This law and its subsequent amendments mandate that states provide a free and appropriate education (FAPE) and procedural safeguards for all children with disabilities without regard to costs incurred by the states and local school districts.

The original federal special education law and its subsequent amendments include a provision that authorizes the federal government to fund 40 percent of the average per pupil expenditures (APPE) in K-12 nationwide, an estimate at the time of the excess cost for educating a special education student that the federal government would bear. Since its enactment, the federal government has appropriated funds at levels between 8 and 17 percent of APPE. Congress attempted to address this issue in the reauthorization of the Individuals with Disabilities Education Act in 2004 by setting voluntary spending targets in a “glide path” to full funding by 2011. However, Congress failed to appropriate the authorized level of funds, and states received $57.1 billion less than they would have had if Congress had kept its commitment.

Federal support for special education is critical. State and federal laws and regulation, combined with the extensive and increasingly complex case law that has developed around special education, have made the practice of delivering services to students with disabilities complex and costly for states and communities. In fact, recent reports indicate that actual spending for special education services is 95 percent above APPE – not 40 percent.

Furthermore, the nation’s legislators support increased federal support for state-run early intervention programs through the Individuals with Disabilities Education Act (IDEA). Part C of the Act, which was implemented nationwide in 1986, covers infants and children with developmental delays or disabilities from birth to their 3rd birthday. Increased federal funding for IDEA Part C will result in more young children with developmental delays receiving health care and therapy services. Early intervention is crucial for the long-term health and well-being of our most vulnerable youth, and it is far less costly than waiting. A child served through the Infant Learning Program costs one-tenth as much as it takes to provide equivalent services after age three. Increased federal support will help ensure that children who need services can get them before delays compound and costs grow.

Given these circumstances, NCSL strongly urges Congress to appropriate the moneys to fully fund the 40 percent of APPE statutorily authorized in Part B of IDEA and to increase annual funding for Part C of IDEA to support state-run early intervention programs for children from birth to age three. One way for Congress to strengthen its commitment to special education would be to move the Part B allotments for special education from the discretionary to the mandatory side of the federal budget.

COMMITTEE: EDUCATION

POLICY: URGING PROMPT ALLOCATION OF FEDERAL EDUCATION FUNDING TO STATES

TYPE: CONSENT RESOLUTION

WHEREAS, NCSL's directive on "The State-Federal Partnership in Elementary and Secondary Education" states that a "healthy state-federal partnership … Maintains steady resource streams, such as formula funding, as the primary funding source for state education aid"; and

WHEREAS, the U.S. Department of Education has traditionally announced allocations for the upcoming school year by July 1 and states and districts have come to rely on this date for budget planning; and

WHEREAS, in 2025 the Office of Management and Budget withheld more than $6 billion in formular funding to states until July 25. The programs affected accounted for between 10 and 20 percent of federal support to states for elementary and secondary education; and

WHEREAS, the Consolidated Appropriations Act, 2026 included a new provision requiring state education formula funds to be distributed to states on the date funds are available for obligation, which is generally understood to be July 1 at the latest; and

WHEREAS, the Department of Education has signed 14 Interagency Agreements to move key functions of the Department to other agencies, including moving most K-12 formula grant programs to the Department of Labor and special education programs to the Department of Health and Human Services; and

WHEREAS, the Department of Labor and the Department of Health and Human Services uses different grant management systems and processes than the Department of Education; and

WHEREAS, the first Interagency Agreement moving career and technical education programs to the Department of Labor resulted in administrative challenges at state education agencies and delayed receipt of federal funding;

WHEREAS, delays in funding allocations create fiscal uncertainty for states and school districts; and

WHEREAS, delays may result in schools scaling back or ending education programs and letting go of teachers and support staff who had committed to teach in the upcoming school year;

NOW, THEREFORE BE IT RESOLVED, the National Conference of State Legislatures urges the U.S. Office of Management and Budget and the U.S. Department of Education to seamlessly allocate funding for federal education formula grant programs in accordance with federal statute to minimize the disruption to the education of students across the states; and

BE IT FINALLY RESOLVED, that NCSL should send a copy of this resolution to the U.S. Office of Management and Budget and the U.S. Department of Education.

COMMITTEE: EDUCATION

POLICY: SUPPORTING THE FEDERAL ROLE IN EDUCATION DATA AND RESEARCH

TYPE: CONSENT RESOLUTION

WHEREAS, the United States' global competitiveness relies on state educational systems functioning at the highest level; and

WHEREAS, state legislatures have the primary responsibility for funding and governing their state's K-12 and higher education systems; and

WHEREAS, state legislatures depend on data from all states to be reviewed, analyzed, and made available by the U.S. Department of Education; and

WHEREAS, states and schools are required by federal law to choose evidence-based programs, organized into three tiers based on the strength of research findings, for school improvement activities; and

WHEREAS, Federal support for education research and innovation can help states learn about best practices and understand which reforms or interventions are most effective; and

WHEREAS, Federal research funding can and should respond to state education priorities; and

WHEREAS, state policymakers rely on transparent data that allows for state-level comparisons; and

WHEREAS, only the U.S. Department of Education has access to data from all 50 states and the ability to communicate that data on a national scale; and

WHEREAS, state funds are limited and most likely to be spent directly supporting schools, leaving states unable to replicate federal research efforts on their own; and

WHEREAS, federal investments in research also allow all states to benefit from national studies, rather than relying solely on studies conducted by individual states; and

WHEREAS, data from the National Assessment of Educational Progress, Integrated Postsecondary Data System, Condition of Education report, Digest of Education

Statistics, and the College Scorecard are useful tools that provide critical insights to states on student outcomes, student experiences, and school performance.

NOW, THEREFORE BE IT RESOLVED, the National Conference of State Legislatures urges Congress to support the federal role in education data and research by ensuring funding necessary for the effective administration of the National Assessment of Educational Progress, the National Center for Education Research, the National Center on Education Statistics, the National Center for Educational Evaluation and Regional Assistance, the National Center for Special Education Research, and all their subsidiary organizations.

NOW, THEREFORE BE IT FURTHER RESOLVED, the National Conference of State Legislatures urges the administration, the Office of Management and Budget, and the U.S. Department of Education to spend appropriated amounts as directed by Congress and ensure the staffing levels necessary for the effective administration of the National Assessment of Educational Progress, the National Center for Education Research, the National Center on Education Statistics, the National Center for Educational Evaluation and Regional Assistance, the National Center for Special Education Research, and all their subsidiary organizations.

COMMITTEE: EDUCATION

POLICY: STUDENT HOMELESSNESS

TYPE: CONSENT RESOLUTION

WHEREAS, homelessness is a traumatic experience that can have negative long-term consequences, especially for children and young adults.

WHEREAS, education systems across the United States are uniquely positioned to help disrupt the cycle of housing instability for students and their families.

WHEREAS, public schools identified and enrolled over 1.5 million students experiencing homelessness during the 2023-2024 school year, which is the largest number on record and 28 percent above the previous two school years.

WHEREAS, student homelessness creates distinct barriers to education that result in higher chronic absence rates and lower high school graduation rates compared to other low-income students.

WHEREAS, the lack of a high school degree or GED is the single greatest risk factor for experiencing homelessness as a young adult.

WHEREAS, the McKinney-Vento Act's Education for Homeless Children and Youth Program removes barriers to education by helping school districts identify, enroll, and support children and youth experiencing homelessness.

NOW, THEREFORE, BE IT RESOLVED, to help more children and youth experiencing homelessness succeed in school and avoid homelessness, states, municipalities, and school districts require increased funding for the Education for Homeless Children and Youth Program.

NOW, THEREFORE, BE IT FURTHER RESOLVED, dedicated funding through the Education for Homeless Children and Youth Program should be preserved and strengthened, including by increasing the flexibility of funds to support a wide range of allowable services that help identify, enroll, stabilize, and support children, youth, and families experiencing homelessness.

NOW, THEREFORE, BE IT FINALLY RESOLVED, as the federal government considers how to improve educational outcomes for all students, it should prioritize funding through the McKinney-Vento Act's Education for Homeless Children and Youth program, which is the only federal program that addresses the unique barriers caused by homelessness, including for students who are displaced by natural disasters.

COMMITTEE: ELECTIONS AND REDISTRICTNG

POLICY: VOTER REGISTRATION LIST MAINTENANCE

TYPE: CONSENT RESOLUTION

WHEREAS, the maintenance of accurate and updated voter rolls through effective, thorough, nonpartisan and secure systems is vital to strengthening trust and confidence in the election process;

WHEREAS, states hold the principal responsibility for updating these official records;

WHEREAS, no comprehensive voter record maintenance system for state and territorial voter rolls exists today;

WHEREAS, timely upkeep of voter file information is imperative because voter data is not static. Every day, people die, register to vote for the first time, move across state lines, or have other events that impact voter eligibility;

WHEREAS, coordination among the states and with the federal government will identify and remove deceased or ineligible voters and update eligible voters' records;

NOW, THEREFORE, BE IT RESOLVED, NCSL asserts that the Election Clause of the Constitution gave the role of maintaining and safeguarding voter rolls wholly to state and, by designation of the states, local governments, not the federal government; and

LET IT BE FURTHER RESOLVED, NCSL calls for Congress and the Administration to restore full funding and functionality to the Election Assistance Commission in a manner consistent with its creation by the Help America Vote Act of 2002: bipartisan, independent, and focused on assisting states with election administration.

LET IT BE FURTHER RESOLVED, NCSL urges USPS to promptly and regularly inform customers of the lag time between mail drop off and postmarking and provide reasonable estimates of mail timing to ensure voters know when they must drop off election mail.

LET IT BE FURTHER RESOLVED, NCSL urges a post-election performance review to determine the timeliness of mail delivery.

COMMITTEE: HEALTH

POLICY: AGING SERVICES (OLDER AMERICANS ACT)

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) strongly supports the Older Americans Act programs and the services funded through this act. NCSL urges Congress to:

- increase the funding authorization limit and appropriate sufficient funding to meet the growing demands for the OAA programs, especially the National Family Caregiver Support Program, Nutrition Services and Adult Protective Services;
- provide states flexibility to establish standards and decide how program funds will be distributed;
- ensure that OAA programs reach low-income, minority and rural older adult households;
- increase efforts to inform those eligible about services available to them under the OAA and other state and federal programs;
- strengthen the authority of state government through designated State Units on Aging to ensure that service funds under the Act are used to support independence in older populations and those in greatest social and economic need; and
- protect state authority to distribute funds based on their own criteria.

NCSL urges Congress to provide states flexibility in the administration of the OAA and the authority to:

- transfer funds between the nutrition program and the social services program according to a state's needs;
- combine congregate and home delivered meals; and
- determine the type and circumstances under which Area Agencies on Aging (AAA)'s can directly provide services;

- Allow states to hold back 1% of Title III funds to support piloting new innovations in home and community based supportive services;
- Support more OAA funding flexibility.

NCSL supports additional resources for the ombudsman program.

NCSL encourages federal policies and resources that support state programs using participant contributions, including voluntary contributions, cost sharing and private pay. NCSL believes that participants with incomes below 125 percent of the federally established level of poverty, should not be subject to cost sharing. Fees collected through fee for service mechanisms should provide for expanded services and increased availability of services to older adults with the greatest economic and social need. This will also enhance the coordination and equity between OAA, the Social Services Block Grant, and state-financed programs that are often funded on a sliding fee scale.

Senior Community Service Employment Program

NCSL supports the Senior Community Service Employment Program and federal policies that strengthen coordination with states and national grantees and provide sufficient flexibility to align the SCSEP with state aging and workforce systems.

NCSL is also in support of moving the SCSEP from the Department of Labor to the Administration for Community Living to better integrate its services with aging programs.

Federal Policies on Aging

NCSL urges Congress to:

1. strengthen funding for Adult Protective Services and guardianship programs to help states protect older adults from abuse, neglect and exploitation;
2. preserve the financial integrity of the Social Security system;
3. eliminate all forms of age discrimination against older workers;
4. provide funds for direct services for older adults;
5. fund the development of integrated, coordinated, community-based continued care systems to help prevent the unnecessary institutionalization of older adults; and
6. provide additional support for gerontological research, education and training.

COMMITTEE: HEALTH

POLICY: FEDERAL REGULATION OF INTERSTATE AND INTERNET TOBACCO SALES

TYPE: CONSENT DIRECTIVE

Regulation of Interstate and Internet Sales of Tobacco Products

Illegal interstate, tribal and internet sale of tobacco products and other nicotine delivery systems affects the health and safety of the nation's citizens and has a particularly negative effect on state revenues. Sellers shall not evade state tobacco and other nicotine delivery product taxes: (1) use the profits of these sales to finance other illicit activities; (2) undermine state efforts to reduce youth access to these products by making lower cost products available to them through the mail; and (3) reduce state revenue. In addition, many of these sellers fail to comply with the provisions of the Master Tobacco Settlement Agreement, endangering state compliance with the Agreement and reducing state payments under the agreement by illegally gaining market share in cigarette sales by offering lower prices made possible by their failure to pay the appropriate state taxes.

NCSL supports the Prevent All Cigarette Trafficking (PACT) Act (amended in 2021 to include electronic delivery systems (ENDS) which are defined broadly to include products delivering nicotine from any source, including synthetic nicotine. NCSL also supports the PACT Act and the continuing partnership between the states and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to implement this important law that:

- Imposes improved recordkeeping to support enforcement of state and federal requirements;
- Prohibits the commercial importation of tobacco products, including electronic nicotine delivery systems and other nicotine delivery systems, into any state in violation of state or federal law;
- Increases the penalties for noncompliance with federal laws regulating interstate and internet sale of tobacco products, electronic and other nicotine delivery systems;

- Authorizes states to enforce tobacco, electronic and other nicotine delivery systems tax collections;
- Permits states to collect triple damages in any suit against entities selling tobacco and electronic and other nicotine delivery systems in states in violation of the laws of the state and make debts incurred in the purchase of these products uncollectible through actions in courts;
- Prohibits interstate tobacco and electronic and other nicotine delivery systems sellers from doing business in a state that is party to the Master Settlement Agreement if the seller is not in full compliance with the Model Statute or the Qualifying Statute enacted by the state;
- Preserves existing agreements between states and tribal governments regarding cigarette and electronic and other nicotine delivery systems taxes; and
- Affirms and strengthens state authority to regulate and enforce electronic and other nicotine delivery systems delivery sales, including age-verification, directory-listing requirements and shipping and delivery restrictions.

FDA Regulation of Tobacco and Tobacco Products

NCSL supports the role of the Food and Drug Administration (FDA) as the agency responsible for the regulation of the manufacturing, marketing and sale of tobacco, electronic and other nicotine delivery systems products to protect public health while preserving state authority to regulate the sale, distribution and youth access to these products.

Specifically, NCSL supports:

- Restrictions on the sale and marketing of tobacco and electronic and other nicotine delivery systems products to young people;
- Requirements that tobacco, electronic and other nicotine delivery systems manufacturers disclose information about the ingredients of their products and any changes they make to the ingredients;

- Federal authority to require changes to tobacco, electronic and other nicotine delivery systems products to protect the public health;
- Federal regulation of “reduced harm” claims;
- Prominent health warnings;
- Regulation of tobacco products and electronic and other nicotine delivery systems through a user fee imposed on tobacco, electronic and other nicotine delivery systems manufacturers;
- Evidence-informed federal efforts to reduce the addictiveness of tobacco, electronic and other nicotine delivery systems products;
- Preservation of state authority to regulate the sale,distribution, possession or exposure to tobacco and electronic and other nicotine delivery systems products including restrictions on the time, place and manner of tobacco product advertising; and
- Preservation of state-based civil claims and enforcement authority.

NCSL opposes unnecessary federal preemption that limits state authority to protect public health and enforce tobacco and electronic and other nicotine delivery systems taxes and youth-access laws.

COMMITTEE: HEALTH

POLICY: SUPPORT FOR SENIORS AND PEOPLE WITH DISABILITIES

TYPE: CONSENT DIRECTIVE

NCSL supports a comprehensive approach to deliver long-term services and supports for older adults, people with disabilities and other individuals and families who rely on long-term care services. A strong system can help states improve access to appropriate services, support independence and autonomy, strengthen caregiving and workforce capacity and better manage pressures on state and federal health care budgets.

Core Principles

NCSL supports:

- federal resources and technical assistance to help states develop innovative programs to improve long-term services and supports;
- state flexibility and autonomy in setting eligibility criteria, consistent with federal requirements;
- policy approaches that improve federal-state coordination of services for individuals eligible for both Medicare and Medicaid;
- federal resources and policy approaches to help states expand the size and capacity of the long-term care workforce;
- federal support of state discretion to select validated or otherwise evidence-based standardized assessment tools for people who rely on long-term care services that help states identify the services and setting most appropriate to meet long-term care needs.

.Increasing Options for Home and Community-Based Care

NCSL supports:

- the development of more home and community-based options under Medicaid;
- Federal policies that help states coordinate, streamline and integrate intellectual and developmental disability supports across systems of care, including medical, disability, behavioral health and aging services as people with intellectual and developmental disabilities grow older and their needs change.

- **Financing and Insurance**

NCSL supports strong federal action to protect consumers of long-term care insurance from predatory pricing or inadequate benefit plans. NCSL also supports efforts to develop long-term care insurance and other financing options as viable complements to Medicaid coverage of long-term care services, while maintaining Medicaid's core role in financing care.. While the states will continue to take primary responsibility for the regulation of long-term care insurance, NCSL supports the development and evaluation of programs and initiatives that would:

- expand options for private long-term care insurance, flexible life insurance products and equity sharing programs;
- provide incentives for individuals to establish health savings accounts and other innovative financing options to pay for a broad range of supportive services;
- provide preferential tax treatment for individuals who purchase qualified long-term care insurance;
- provide tax incentives for private employers and a Medicaid bonus program for state and local government employers to encourage them to offer long-term care insurance as an employee benefit;
- provide incentives to employers to offer long-term care insurance, as a condition of receiving federal benefits, such as business tax credits;

Alzheimer's Disease and Other Dementia Related Disorders

NCSL supports:

- continued federal efforts that lead to the development of new drug treatments;
- continued federal efforts to improve early detection and diagnosis of Alzheimer's disease and related dementias;
- continued federal efforts to assist in disease management, including providing states with resources and options to deliver long-term services and supports in a manner that preserves the independence and autonomy of individuals with dementia-related disorders to the greatest extent possible.

Caregiver Supports

NCSL supports:

- efforts to assist formal and informal caregivers, including family members, through tax incentives and programs that provide support services such as respite care;
- continued federal efforts to support unpaid caregivers of people with Alzheimer’s disease and related dementias, with a particular focus on dementia-specific respite care and other targeted resources.

COMMITTEE: HEALTH

POLICY: ARTIFICIAL INTELLIGENCE IN HEALTH CARE

TYPE: CONSENT RESOLUTION

WHEREAS, the integration of Artificial Intelligence (AI) in health care presents significant opportunities to enhance patient care, improve health outcomes and increase operational efficiencies;

WHEREAS, states are at the forefront of developing and implementing AI policies tailored to their unique health care needs and challenges;

WHEREAS, robust data privacy and security measures must be enforced to protect patient information used in AI systems, in compliance with existing federal and state regulations;

WHEREAS, AI technologies must undergo validation appropriate to the level of risk they present, with healthcare applications-subject to rigorous, ongoing evaluation to assess and verify their performance, reliability, fairness and safety prior to deployment;

WHEREAS, in light of state legislative and regulatory activity in this area, federal preemption of state AI laws and regulations could interfere with state efforts to create solutions that meet the unique needs of their residents and businesses.

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges the federal government to:

- Collaborate with states to develop guidelines for the reasonable, trustworthy, and human-centered use of AI, including transparency in AI decision-making processes, accountability mechanisms for AI developers, deployers and users, robust privacy protection of health information, uses that enhance rather than replace the patient/provider relationship, and protections for health care
- professionals to exercise their clinical judgement;
- Incorporate insights and best practices from state-level initiatives in establishing any federal framework for the regulation of AI in health care;
- Work with states, standards development organization and federal partners to advance standardized protocols for data sharing and interoperability, ensuring

that AI systems can securely and efficiently access and utilize health data across state lines;

- Support initiatives such as model cards and nutrition labels and/or other formats that convey source attribute information to ensure consistent and standard transparency of AI developers;
- Work with states to adopt plain language descriptions of the logic and rationale for AI applications (including attributes defining the intended use and inappropriate use of the model, the testing data sets used for developing the model, and the results of feasibility and real-world testing) used by AI/Machine Learning so the functionality, risk, potential bias, and signs of model drift are easily understood by end users.
- Provide regulatory support for initiatives that ensure developers have safe access to diverse data sets and initiatives that allow models to be trained and tested on robust data appropriate to the populations for whom the models will be used;
- Collaborate with states to support the development of a diverse and skilled AI workforce in health care;
- Partner with states on financial investments in education and training programs to equip health care professionals with the skills needed recognize the risks and limitations of AI;
- Work with states and standards development organizations to develop federal standards for AI performance monitoring and evaluation to keep AI system reliable, fair and safe over time. This should include, local, recurrent validation (process of ongoing technical checks and improvements after deployment) and post-market surveillance (monitoring real-world impact and user safety) of AI systems.
- Consult with states as they debate and develop AI legislation and regulations, paying particular attention to how any federal law or regulation will impact state laws governing AI. Federal laws and regulations in the AI space should establish a strong national policy floor, set a consistent and aligned baseline of rights,

safety and accountability while preserving states' ability to adopt additional protections in their own laws as needed; and

- Ensure that federal AI legislation and regulation does not usurp states' ability to legislate and regulate in areas that traditionally rest under the oversight of states and local governments; and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the President of the United States, all members of Congress, and all relevant federal and state officials.

COMMITTEE: **HEALTH**

POLICY: **IMPORTANCE OF FEDERAL ACTION TO ENCOURAGE FAMILIAL AWARENESS OF TYPE 1 DIABETES AND APPROPRIATE AUTOANTIBODY SCREENING OPTIONS TO DETECT RISK FOR DEVELOPING THE DISEASE**

TYPE: **CONSENT RESOLUTION**

WHEREAS, type 1 diabetes is an autoimmune chronic medical condition affecting millions of individuals worldwide.

WHEREAS, a type 1 diabetes diagnosis obligates a child or adult diagnosed with the condition to take insulin, utilize a variety of technologies, and see a team of doctors throughout a patient's lifetime at a measurable cost to manage the disease.

WHEREAS, type 1 diabetes is now recognized as developing over three stages (e.g., stage 1, stage 2, and stage 3) with a diagnosis of each stage potentially allowing for early interventions to alter the course of this autoimmune disease.

WHEREAS, the onset and diagnosis of type 1 diabetes are now somewhat predictable thanks to autoantibody screening tools, especially for those with a close relative living with type 1 diabetes, permitting patients to avoid or forestall a condition known as diabetic ketoacidosis or DKA.

WHEREAS, people at risk for type 1 diabetes are often unaware of the risk factors associated with developing the condition.

WHEREAS, the majority of those diagnosed with type 1 diabetes have no otherwise identifiable family history with the autoimmune disease with certain common viruses amplifying a person's risk.

WHEREAS, in youth, regardless of any socio-economic consideration, type 1 diabetes is more prevalent than type 2 diabetes.

WHEREAS, poor glycemic control, elevated lipids, and other risk factors may put Hispanic and African American youth at risk for future diabetes-related complications like heart attacks, strokes, kidney failure, and vision loss.

WHEREAS, a diagnosis of COVID-19 increases a child's and an adult's risk of developing type 1 diabetes later in life.

WHEREAS, rates of type 1 diabetes increased 17% among US youth after the COVID-19 pandemic began especially in Hispanic and African American children.

WHEREAS, type 1 diabetes is increasing consequentially in each state across the USA.

WHEREAS, it is essential to promote awareness of type 1 diabetes and its impact on public health.

WHEREAS, the dedicated efforts of healthcare professionals, advocacy groups, and individuals living with type 1 diabetes play a significant role in addressing this global health concern. Whereas consistent with established medical guidance, screening for type 1 diabetes autoantibodies should occur in newly diagnosed adults with type 2 or gestational diabetes to rule out a type 1 diabetes diagnosis given the number of American adults diagnosed with type 1 diabetes in their 20s, 30s, and 40s.

WHEREAS, since 2024 nearly twenty states, including Arkansas, Florida, New Hampshire, Louisiana, Delaware and Tennessee took legislative, regulatory, or executive action to provide autoantibody screening resources to families to learn more about their risk of experiencing a type 1 diabetes diagnosis.

WHEREAS, the 118th and 119th session of the United States Congress considered bicameral and bipartisan legislation to increase resources available federally and to states to increase familial awareness of the opportunity to screen for type 1 diabetes before discernable symptoms are present.

NOW THEREFORE, BE IT RESOLVED that the National Conference of State Legislatures recognizes the opportunity to help families understand the risk of type 1 diabetes via autoantibody screenings.

NOW THEREFORE, BE IT RESOLVED that the NCSL encourages the US Senate and House of Representatives to enact S. 4612 and H.R. 9000 from the 119th Congress while also including recommended funding for state education efforts around type 1 diabetes education awareness to implement 2024's and 2025's Labor HHS appropriations vehicles. These appropriations vehicles conclude Congress... "supports efforts to increase type 1 diabetes screenings at community health centers particularly among high-risk populations, especially given the advance in treatments that now can delay onset of the disease for several years if caught early enough."

COMMITTEE: HEALTH

POLICY: OPTION FOR STATES TO EXPAND USE OF CONTRACTORS TO ADMINISTER MEDICAID

TYPE: CONSENT RESOLUTION

WHEREAS, a federal-state partnership governs the Medicaid program under Title XIX of the Social Security Act, in which the federal government provides a policy framework, states and counties oversee ongoing operations and administration, and all partners share funding responsibilities

WHEREAS, Medicaid provides critical health services that help low-income individuals, mothers with dependent children as well as individuals who are aged, blind or with disabilities

WHEREAS, H.R. 1 requires most states and counties to administer Medicaid community engagement programs by January 1, 2027, and perform more frequent Medicaid eligibility redeterminations beginning in January 2027

WHEREAS, contractors play critical roles in most states in supporting and operating the Medicaid program, including assisting Medicaid beneficiaries in choosing managed care plans, customer service contact centers, document management, and development and management of information technology but are barred from eligibility determinations and redeterminations and performing fair hearings

WHEREAS, states have to address the need to balance permanent government staffing with demands that may surge up and down over time, such that contractors could be used to manage those surges

THEREFORE, LET IT BE RESOLVED that the National Conference of State Legislatures urges that:

Congress adopt bipartisan legislation, such as the bipartisan Buddy Carter (R-GA) - Don Davis (D-NC), H.R. 6254, to modernize the Medicaid program to allow a greater role for contractors, at state option

Upon adoption of this resolution, a copy of this resolution shall be submitted to the Secretary of the United States Department of Health and Human Services, the Administrator of the Centers for Medicaid and Medicare Services, and the Chairs and Ranking Members of the U.S. Senate Committee on Finance and the U.S. House Committee on Energy and Commerce, the public welfare requiring it.

COMMITTEE: HEALTH

POLICY: DEFINITION OF MEDICAL FRAILTY

TYPE: CONSENT RESOLUTION

WHEREAS, the implementation of any federal definition of medical frailty must balance clinically sound standards with administrative feasibility; and

WHEREAS, health vulnerability is influenced by medical diagnoses, behavioral health conditions, functional limitations, and nonmedical factors that may affect an individual's ability to maintain health, access care, participate in employment, and engage in community life; and

WHEREAS, a definition of medical frailty should be clinically appropriate, flexible, and administratively workable, and should include individuals with serious, complex, disabling, unstable, or functionally limiting conditions; and

WHEREAS, such a definition should include, but not be limited to, individuals with one or more of the following conditions, when such condition significantly impairs the individual's ability to fulfill the federal community engagement requirements:

- Serious mental illness and disabling behavioral health conditions;
- Substance use disorders;
- Serious chronic diseases requiring ongoing medical management, including cancer, HIV/AIDS, end-stage renal disease, heart failure, chronic obstructive pulmonary disease, diabetes with complications, neurological disorders, and autoimmune diseases;
- Physical, intellectual, and developmental disabilities;
- Functional limitations affecting activities of daily living, independent living, communication, mobility, cognition, or self-management; and
- Episodic or fluctuating conditions that may not be consistently reflected in claims data but substantially affect functioning; and

WHEREAS, nonmedical factors can contribute to an individual's level of frailty when they materially affect health status, functional capacity, or the ability to access care; and **WHEREAS,** such factors may include severe food insecurity, housing instability, homelessness, transportation barriers, social isolation, and limited caregiver support when those conditions affect health, independence, or the ability to comply with program requirements; and

WHEREAS, these conditions often coexist with chronic disease, disability, and behavioral health conditions and may substantially impair an individual's ability to obtain care, maintain health, participate in employment, or engage in community activities; and

WHEREAS, repeated verification of lifelong or permanent disabilities and chronic conditions may create unnecessary administrative burdens for beneficiaries, providers, and state Medicaid agencies without improving program integrity;

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures (NCSL) urges the Centers for Medicare & Medicaid Services (CMS) to preserve state flexibility to identify medically frail individuals using clinically appropriate, administratively feasible, and fiscally responsible approaches that recognize serious medical, behavioral health, and functional limitations affecting an individual's health status and ability to function independently; and

BE IT FURTHER RESOLVED, that CMS should allow states to consider nonmedical factors, such as food insecurity, housing instability, homelessness, transportation barriers, social isolation, and limited caregiver support as supporting evidence of medical frailty when those factors materially affect an individual's health status, functional capacity, ability to access care, or ability to comply with program requirements; and

BE IT FURTHER RESOLVED, that CMS should provide states with flexibility to use clinically appropriate and administratively efficient methods to identify medically frail individuals, including functional assessments and other reliable evidence beyond claims data, while supporting accurate eligibility determinations and responsible stewardship of Medicaid resources; and

BE IT FURTHER RESOLVED, that federal guidance should provide clear parameters while avoiding overly prescriptive requirements that limit states' ability to administer Medicaid programs efficiently, maintain program integrity, and respond to the needs of their populations; and

BE IT FURTHER RESOLVED, that CMS should allow states to use longer certification periods or permanent designations for disabilities or chronic conditions determined by a licensed physician or other qualified medical professional to be permanent, lifelong, or unlikely to improve, where clinically appropriate and consistent with program integrity; and

BE IT FURTHER RESOLVED, that federal policies should minimize unnecessary administrative burden on beneficiaries, health care providers, and states while ensuring that eligible medically frail individuals retain timely access to needed health coverage and services; and

BE IT FURTHER RESOLVED, that CMS should provide states with sufficient time, technical assistance, and operational flexibility to implement medical frailty determinations in a manner that is accurate, administratively feasible, and minimizes unnecessary coverage disruptions; and

BE IT FINALLY RESOLVED, that CMS should provide clear standards and safe harbors to ensure states are not penalized for good-faith implementation decisions made under compressed timelines and evolving federal guidance

COMMITTEE: LAW AND PUBLIC SAFETY

POLICY: CYBERCRIME

TYPE: CONSENT RESOLUTION

WHEREAS, the Federal Bureau of Investigation's Internet Crime Complaint Center (IC3), which serves as the primary destination for the public to report cyber-enabled crime, has received over 9 million complaints since its founding in 2000 and over 2,000 complaints per day since 2020.

WHEREAS, the IC3 defines cyber-enabled crime as any illegal activity that is assisted using cyber-related means, which "may include, but [is] not limited to, advance-fee schemes, non-delivery of goods or services, computer hacking, or employment/business opportunity schemes, and intrusion-based crimes such as ransomware and data breaches."

WHEREAS, the IC3 saw over 850,000 total complaints as well as a new record of over $16.6 billion in losses due to cyber-enabled crime in 2024 alone, with individuals over 60 years old representing the bulk of reported losses and complaints filed.

WHEREAS, almost 5,000 complaints filed with the IC3 were from critical infrastructure organizations, such as power plants, hospitals, water treatment plants, and airports, that were affected by ransomware and data breaches.

WHEREAS, all states and territories have had at least 70 IC3 complaints filed per 100,000 residents in 2024, with some states experiencing complaint volume as high as 900 per 100,000 residents, illustrating the ubiquity of cyber-enabled crime across the country.

WHEREAS, the National Center for Missing & Exploited Children (NCMEC) received over 450,000 reports of online enticement, where an individual is communicating with someone believed to be a child with the intent to commit a sexual offense or abduction, in 2024.

WHEREAS, NCMEC has observed a dramatic increase in child sextortion cases, where children are blackmailed or threatened into sending sexual images and/or money to perpetrators.

WHEREAS, a 2023 U.S. Government Accountability Office (GAO) report, “Cybercrime: Reporting Mechanism Vary, and Agencies Face Challenges in Developing Metrics,” outlined several difficulties in tracking and prosecuting cyber-enabled crimes due to underreporting, costs of investigation and prosecution, victim concerns of reputational impact, agency difficulties in retaining highly trained staff, lack of capacity for foreign nations to participate in multi-jurisdictional criminal prosecutions, and inconsistent definitions of cybercrime across federal agencies, among others.

WHEREAS, the Cybersecurity and Infrastructure Security Agency (CISA) serves as the integral federal agency for identifying and managing risk to the cyber and physical infrastructure that states and their residents rely on every hour of every day

WHEREAS, states have a vested interest in the safety of their residents and rely on partnership with the federal government to enhance their capacity to address interstate and international cyber-enabled crime.

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to increase the capacity of federal agencies to respond to and partner with state and local jurisdictions to combat cyber-enabled crime.

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to restore long-term funding to CISA in amounts necessary to sustain the agency’s ability to serve as a resource for state cybersecurity efforts and to ensure the continued viability of the CISA regional offices, as well as the state and local cybersecurity grant that assists states with combatting cyber threats and maintaining overall statewide cyber readiness.

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to maintain funding for the U.S. Department of Commerce’s National Institute of Standards and Technology, which develops voluntary cybersecurity standards, guidelines, and resources for industry, federal agencies, and other stakeholders.

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to continue existing and pursue new international partnerships to address external cybersecurity concerns that affect United States residents.

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to continue to support and invest in state-federal partnerships as well as interstate information sharing centers and associated grant programs.

COMMITTEE: LAW AND PUBLIC SAFETY

POLICY: IMPROVING H-2A VISA POLICY TO END AGRICULTURAL LABOR SHORTAGES

TYPE: CONSENT RESOLUTION

WHEREAS, U.S. agricultural industries are currently experiencing labor shortages and the U.S. agricultural workforce is experiencing a reduction in available labor; and

WHEREAS, the H-2A visa is a temporary work visa for foreign agricultural laborers and does not provide a path to U.S. citizenship; and

WHEREAS, H-2A visa holders are foreign agricultural laborers that can help temporarily fill labor gaps in the agricultural industry; and

WHEREAS, the pandemic highlighted the need for a diverse and robust workforce able to withstand shocks and unforeseen circumstances, particularly in essential industries experiencing labor shortages such as agriculture; and

WHEREAS, agricultural employers turn to employing H-2A visa holders when they can demonstrate during the application process that there are no domestic laborers available to fill needed positions;

WHEREAS, H-2A visa holders are valuable employees in the domestic and global agricultural communities who desire and deserve opportunities, protections, employment certainty and dignity; and

WHEREAS, agricultural employers and employees endure a costly and complex employer-sponsored application process, fulfill burdensome reporting requirements and comply with federally mandated wage requirements for both H-2A visa holders and domestic laborers, as well as fulfill transportation, meal and housing requirements; and

WHEREAS, the H-2A visa program is the largest U.S. temporary work visa program, despite the associated costs, and the number of applications by U.S. agricultural employers to hire H-2A visa holders has been increasing dramatically over the past decade, underscoring the severity of the current agricultural labor shortage; and

WHEREAS, current H-2A visa program rules prohibit the employment of H-2A visa holders in any agricultural position that is not classified as temporary or seasonal in nature, which disqualifies H-2A labors from filling most positions in dairy, livestock, forestry and other year-round agricultural industries; and

WHEREAS, current H-2A visa program rules prohibit the employment of H-2A visa holders for longer than one year, forcing employers to find replacement workers often which is costly and burdensome for agricultural employers and employees; and

WHEREAS, H-2A visa holders are prohibited from extending their visa for more than three years and H-2A visa holders must wait outside of the U.S. for a period of no less than three months before they can reapply for a H-2A visa; and

WHEREAS, the H-2A visa program has been shown to create captive employment dynamic, undercut wages, and working conditions, and drive down labor standards;

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress to extend H-2A visa holders' eligible length of employment by a single agricultural employer to 12 months and further urges Congress to allow for an extension of up to 12 months past the original term length when a verification of employment is provided by the employer to decrease the burden on agricultural employers and H-2A visa holders; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to expand the eligibility of H-2A visa labor to all agricultural industries, including dairy, livestock, forestry and other year-round agricultural industries; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislature urges applicable federal agencies collaborate to streamline and modernize the H-2A visa application and reapplication process and requirements, to allow greater flexibility, increase efficiency and to reduce the financial and resource burdens on H-2A employers and employees; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress to reform the H2A agricultural visa program to promote employer accountability, high labor standards, fair wages, safe working conditions, and ensure rights and protections for U.S. and immigrant agricultural workers alike; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges the U.S. Department of Labor, the U.S. State Department, the U.S. Department of Homeland Security, the U.S. Department of Agriculture and other appliable agencies to consult with the National Conference of State Legislators on any proposed changes to the H-2A visa application or program; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to expand the eligibility of temporary H-2A visa labor to temporarily fulfill year-round and non-seasonal agricultural positions, including production, preparation, processing or manufacturing of agricultural commodities, in all agriculture industries during the requested length of employment within the valid work period of the H-2A visa.

COMMITTEE: **LAW AND PUBLIC SAFETY**

POLICY: **INCREASING VISA CAPS AND LEGAL IMMIGRATION TO END LABOR SHORTAGE**

TYPE: **CONSENT RESOLUTION**

WHEREAS, the U.S. is experiencing a tight labor market and increased cultural and ethnic diversity is a recognized benefit to our society; and

WHEREAS, the pandemic highlighted the need for a diverse and robust workforce able to withstand shocks and unforeseen circumstances, particularly in industries such as healthcare, manufacturing, agriculture, education, and trade industries; and

WHEREAS, immigrants tend to be of optimal working age and eager to find employment; and

WHEREAS, employment-based visa holders are non-citizen workers that complement U.S. workers and help to fill labor gaps in critical industries; and

WHEREAS, employment-based visa holders benefit the country not only with their gainful employment but also by contributing to the tax base, as they pay federal, state, Social Security, and Medicare taxes proportional to their wages; and

WHEREAS, employer control of these visa programs can constrain workers' rights and may result in abuse and exploitation; and

WHEREAS, employment visa programs across industries have been shown to create captive employment dynamics, undercut wages and working conditions, and drive down labor standards; and

WHEREAS, according to the United States Department of State, permanent employment-based immigration is statutorily limited to 140,000 principals and dependents annually, number of H-2B visas statutorily limited to 66,000, and the number of H-1B visas limited to 65,000 with an additional 20,000 visas available for those with a master's degree or doctorate.

WHEREAS, these visa caps are often met within the first few months of each year; and

WHEREAS, many visa recipients must reapply yearly and these applications can be lengthy and burdensome; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress to significantly increase the statutory visa caps and simplify the application and reapplication processes to allow employment-based visa recipients to easily maintain their visa status; and

LET IT BE FURTHER RESOLVED, that NCSL shall call for reforms to work visa programs to promote employer accountability, high labor standards, fair wages, safe working conditions, and ensure rights and protections for U.S. and immigrant workers alike; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to create legal pathways to immigration and streamline the process for immigration into our country in order to fortify the labor market and achieve economic prosperit

COMMITTEE: **LAW AND PUBLIC SAFETY**

POLICY: **NATURAL DISASTER MANAGEMENT**

TYPE: **CONSENT RESOLUTION**

WHEREAS, natural disasters impacting the United States, including hurricanes, storms, flooding, tornados, fires, wind, hail and extreme heat, are more severe, occurring more frequently, and at greater scale. According to through the Federal Emergency Management Agency (FEMA), 44 of 50 states experienced a federal disaster declaration somewhere in their state in 2024 and almost every state is impacted by a disaster every year; and

WHEREAS, the National Oceanic and Atmospheric Administration's National Center for Environmental Information has identified 73 natural disasters, largely comprised of severe storms, tropical cyclones and winter storm events, between 2022 and 2024 with individual losses of over $1 billion adjusted for inflation. Five-year average costs have spiked to $151.2 billion in 2024 from $19.1 billion in 1984, meaning states and local communities rely on federal assistance before, during and after disasters now more than ever; and

WHEREAS, in 2020 the National Institute of Building Sciences evaluated federal investments in disaster mitigation since 1995 and found that for every $1 federal invested, communities saved $13; and

WHEREAS, state and local governments own approximately 44% of public roads, 38% of national bridges, over 900 hospitals and directly support about a third of the nation's airports. States are constantly working to improve disaster response and recovery systems and technology and federal funding and technical assistance enhances state investments in pre-disaster resiliency, disaster mitigation and preparedness and supports the rapid repair and replacement of damaged and destroyed infrastructure and quicker economic recovery; and

WHEREAS, given the severity of natural disasters in recent years, federal support to state activities and existing state funding mechanisms is vital to repairing damaged communities; and

WHEREAS, the majority of federal disaster funding is distributed to states through FEMA, which has obligated over $160 billion in funding since 2017 as a result non-Covid-19 disaster declarations; and

WHEREAS, state and local governments already have a 25% cost share with awarded FEMA funds unless specifically adjusted by the president. The majority of states lack sufficient funding, capacity and need for a full-time disaster-response staff, and are unable to replace federal disaster-response infrastructure and expertise; and

WHEREAS, federal assistance to states which provides and supports the delivery of basic services such as clean water, food and shelter to communities post-disaster is a necessity; and

WHEREAS, the dissolution of federal agencies addressing disasters and assistance for disaster preparedness, mitigation, resilience, response and recovery would result in the loss of a centralized federal research and innovation hub for new resiliency techniques and improved methods for protecting lives and property during emerging and increasingly worsening disaster threats, an increase in direct cost burdens on states by requiring states to spend more money on routine items and would adversely impact investments in other areas and a decrease in national security during times of crisis; and

WHEREAS, intergovernmental communications, ongoing federal-state partnerships and long-term staff relationships are vital to effective coordination and disaster preparedness and response; and

WHEREAS, according to the Congressional Budget Office, insurers covered $80 billion in losses caused by natural disasters in 2023 and some insurers were rendered insolvent due to the impacts of and the resulting claims after natural disasters. Other insurance companies are reducing coverage and are pulling out of states like California and Florida – both of which experienced catastrophic disasters in recent years; and

WHEREAS, given the interconnectedness of the global economy, vulnerable supply chains and regionalized American industry, it is in America’s best economic interest to ensure expedient services and relief to states after disasters to assist with speedy local, regional and national economic recovery; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress and the administration to maintain and sustain the role, scope and adequate and appropriate funding levels of all federal disaster agencies, programs, grants and projects that assist states with disaster preparedness, mitigation, resilience, response and recovery and to reject any changes to federal agencies, programs, grants or projects that would disrupt or decrease federal disaster assistance funding currently provided to states, create direct or indirect cost burden shifts to states, or create any new direct or indirect spending or other precondition requirements, including the implementation of a so called “disaster deductible,” for states to access federal funding for disaster preparedness, mitigation, resilience, response or recovery; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to ensure that federal funding intended for shelter after disaster be continued, and ensure that the shelter and services issued meet the needs of all Americans, both urban and rural; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to support the principles of state-to-state mutual aid and resource sharing as agreed to by the signatory states and territories of the Emergency Management Assistance Compact , in addition too, rather than as a replacement of, federal financial and technical support and assistance; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to enhance intergovernmental partnerships; increase in-person assistance to states, including communication and coordination assistance and other on the ground support before, after, and during disaster response and recovery to better serve the needs of the American public; and bolster clear and accurate communications with all relevant stakeholders including state and local entities as well as the public about state and federal disaster preparation, response and recovery efforts, before, during and after disasters; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to maintain federal disaster resources for the public, including information to assist the public with preparedness and response, scientific databases and federal data tracking and collection programs; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures supports efforts by the federal government to improve community preparedness prior to disaster, including the federal government's assistance with and facilitation of broad preventative actions that could be conducted across the nation, such as contracting for shelter in preparation for future disasters; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to provide financial and technical support for state resource sharing programs and disaster response systems and software; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures supports efforts by the federal government, in consultation with states, to improve, streamline, simplify, and increase the consistency, flexibility and transparency of federal disaster funding applications and distribution processes to states, who are responsible managers of federal dollars, to more quickly assist with disaster response and recovery; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures supports changes to the National Flood Insurance Program to ensure its solvency while also maintaining its affordability and availability to all Americans.

COMMITTEE: LAW, AND PUBLIC SAFETY

POLICY: PRISON SECURITY

TYPE: CONSENT RESOLUTION

WHEREAS, a 2018 National Survey of Correctional Contraband found that of 301 prisons across six states, cell phones were the second most common item of contraband, with an average of 31 cell phones retrieved per 1,000 individuals.

WHEREAS, contraband cell phones used by incarcerated individuals enable the continuance of crime such as drug trafficking and sexual exploitation.

WHEREAS, more than a dozen correctional officers have been convicted of providing cell phones and phone parts to prisoners in exchange for bribes.

WHEREAS, the Urban Institute reported that more than 85% of correctional administrators from 20 state prisons feel that contraband cell phones jeopardize the safety of incarcerated individuals and correctional staff.

WHEREAS, the National Institute of Justice identified drones as a concern for correctional facilities because drones can smuggle drugs, cell phones, weapons, GPS trackers, and other contraband into facilities.

WHEREAS, drones may not only be used to smuggle in contraband but may also be used for video surveillance of correctional facilities to aid inmate escapes.

WHEREAS, after the Federal Bureau of Prisons adopted a formal reporting process in 2018, reports of drones increased by 87 percent, with the Department of Justice reporting 130 drone incidents in federal correctional facilities between 2015 and 2019.

WHEREAS, federal law does not currently prohibit drones from flying over correctional facilities, but does, through a general prohibition, prohibit correctional facilities from being able to control, capture, or destroy drones flying over facilities.

NOW THEREFORE BE IT RESOLVED, NCSL urges Congress to vote in favor of implementing the 2025 Cellphone Jamming Reform Act (S. 1137) to prevent further criminal activity in correctional facilities and communities.

BE IT FURTHER RESOLVED, NCSL asks Congress to criminalize the flying of drones over correctional facilities and prioritize the prosecution of such incidents.

BE IT FURTHER RESOLVED, NSCL supports allowing law enforcement and correctional facility agencies to mitigate drones that fly over critical infrastructure. NCSL encourages Congress to permit a pilot program that enables law enforcement and correctional facility agencies to mitigate drones that fly over critical infrastructure.

COMMITTEE: **LAW AND PUBLIC SAFETY**

POLICY: **REGARDING TREATMENT OF ASYLUM SEEKERS AT SOUTHERN BORDER AND PORTS OF ENTRY**

TYPE: **CONSENT RESOLUTION**

WHEREAS, the United States has a vested interest in securing its borders; and

WHEREAS, promoting legal immigration is paramount to the prosperity of the United States; and

WHEREAS, the right to seek and enjoy asylum from persecution is a commonly accepted human right in the international community that the United States upholds; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress and the Administration to invest in procedural and technological improvements to its ports of entry and judicial system in order to facilitate a safe, efficient, timely, and humane immigration process for asylum seekers.

COMMITTEE: LAW, AND PUBLIC SAFETY

POLICY: SUCCESSFUL INMATE REENTRY INTO SOCIETY

TYPE: CONSENT RESOLUTION

WHEREAS, an incarcerated individual's success upon re-entry is impacted by their ability to access resources like education, housing, transportation, and affordable healthcare

WHEREAS, the Second Chance Act and its reauthorizations are vital to successful re-entry because the Act enables states, through grants, to implement programs and resources for individuals re-entering the community.

WHEREAS, the United States Department of Justice reported that since 2008, when the Second Chance Act was passed, more than 386,000 individuals received services funded by the Act's grants.

WHEREAS, two examples of how the Second Chance Act funded re-entry programs include Arizona, where grants were used to train community correctional officers on best practices for supporting supervised offenders, and Ohio, where grants were used to provide housing vouchers to formerly incarcerated individuals.

WHEREAS, healthcare services like Medicaid are key to the successful re-entry of incarcerated individuals and, without access to affordable healthcare, incarcerated individuals may not seek medical care upon release.

WHEREAS, federal law has historically prohibited states from delivering Medicaid services to incarcerated individuals unless they are a patient at a medical institution.

WHEREAS, new opportunities such as the Medicaid Re-entry Justice Involved Waiver have provided states with new opportunities to leverage the Medicaid program to provide critical care to incarcerated individuals up to 90 days pre-release.

NOW THEREFORE BE IT RESOLVED, NCSL supports the 2025 Second Chance Reauthorization Act as a vital component for states to implement re-entry programming.

NCSL urges Congress to provide funding so that states can continue to provide services to help individuals successfully re-enter into society.

BE IT FURTHER RESOLVED, NCSL acknowledges that incarcerated individuals who will soon re-enter the community need access to affordable healthcare. NCSL encourages Congress to support state policies and programs that provide incarcerated individuals with access to healthcare prior to release from a correctional facility.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: WASTE MANAGEMENT

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) believes that the following principles should be followed during the reauthorization and subsequent amendments of waste management programs and policy to minimize the present and future threat to human health and the environment:

Superfund Reform

To assure the timely and effective clean-up of contaminated sites, NCSL recommends that the following principles should be followed during reauthorization of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as "Superfund:"

State Roles

- The federal government should grant states a greater role in all aspects of Superfund decision making.
- The U.S. Environmental Protection Agency (EPA) should be allowed to delegate federal program responsibilities to states. EPA should be expected to authorize states to operate a state Superfund program in lieu of the federal program. Reasonable costs of state operation of the program should be reimbursed from the federal Superfund Trust or other federal sources should the Trust’s funds be depleted or exhausted. State delegation and state authorization should be allowed at both federal and non-federal sites.
- States should be authorized to participate in decision making and remedy selection at federal facilities that are Superfund sites.
- EPA should retain authority to engage in emergency response actions at any location it deems necessary but only after appropriate consultation with the state concerned.

- Congress should be mindful that the forced allocation of state resources to National Priority List (NPL) sites comes at the expense of state efforts to remediate non-NPL sites and should limit the state "cost-share" at Superfund sites to 10% of remedial action costs and 10% of total operation and maintenance costs. States should be reimbursed for the state cost share to the extent the federal government receives reimbursement for Superfund site cleanup.

Remedy Selection

- Risk assessment and cost\benefit analysis should be considered during the remedy selection process while also fully factoring in risks posed to sensitive subpopulations. Cleanup decision and remedy selection should be determined on the basis of public health and environmental protection and should not be pre-determined by requirements that mandate the selection of "lowest cost" cleanup options.
- Permanent solutions to improperly disposed of hazardous waste should be accorded preference over attempts to control access or exposure to such waste.
- Codification of EPA's administrative policy to establish presumptive, standardized cleanup remedies for sites that have common characteristics. Cleanup standards based on end use must specify “how clean is clean” to streamline the remedy selection process.

Review of Remedy Selection

- Any legislation should assume that final remedy selections, including a record of decision (RODs), consent agreements and allocations of costs will not be reopened unless essential to protect the health and safety of the public.

Compliance with State Laws, Regulations, and Standards

- No state laws or regulations should be preempted. States should continue to be allowed to impose stricter state cleanup standards at sites. Compliance with state laws and regulations should continue to be required and should never be conditioned upon state governments paying the costs of such compliance.

Liability

- The current retroactive, strict, joint and several liability scheme should be maintained unless a fairer and more cost-effective alternative can be developed. Any new liability scheme should maintain the "polluter pays" principle and provide, at a minimum, the existing level of private sector resources for cleanups. The private sector should remain the primary funding source for site cleanups. There should be no increase in the public share of funding for site cleanups.
- Any review of the current liability scheme should recognize the fact that 23 states have liability schemes that closely reflect or mimic CERCLA's "polluter pays" approach to site remediation financing.
- Non-responsible landowners, including state and local governments, renters, or lessees, and institutions or persons financing cleanup activities at a site previously contaminated by hazardous waste or petroleum products should be provided with liability protection. Protection should not be provided to entities for hazardous waste releases that occur on the property during their involvement.
- Final liability settlements should not be reopened.

Site Listings

- Congress should not limit or cap additions to the National Priority List (NPL) except to codify EPA's current policy of obtaining state concurrence to add new sites to the NPL.

Financing Superfund

- The Superfund taxes on industry that finance the Superfund Trust Fund should be reauthorized. The aggregate tax should be least equivalent to that allowed under the original taxing authority.

Fund Financed Emergency Response Actions

- The current limit on Fund financed emergency response actions should be raised from one year or $2 million to two years or $4 million.

Voluntary Response Programs

- Congress should create incentives for responsible parties to engage in voluntary cleanup efforts.

Natural Resource Damages

- States should be given the opportunity to assume primary management and enforcement responsibility for natural resource damage programs.
- States should be allowed to use Superfund Trust monies to assess natural resource damages to address discharges and releases pursuant to CERCLA and to remedy such damages.
- Congress should remain mindful that states are heavily dependent upon their groundwater reserves. In the absence of State or Federal standards for contaminants, groundwater cleanup remedies under Superfund should be consistent with the applicable use of that water.
- States should be given the opportunity to recover all costs, including administrative costs, associated with a claim for natural resource damages against those parties responsible for the damage. Trustees should be allowed to recover non-use and lost use costs.
- Funding should be made available to states from Superfund for natural resource damage assessment and restoration.
- Congress should not federally mandate a statute of limitation period for natural resource damages. In addition, Congress should not place arbitrary liability "caps" on restoration budgets or damages resulting from the destruction or impairment of natural resources.
- The federal government should be subject to all state laws governing the cleanup of waste materials and be held responsible for payment of natural resource damages to states for Federally caused damages. Payment by federal facilities for state natural resource damages should not come from the Superfund.

Resource Conservation and Recovery Act (RCRA) Reform

Recognizing the need to manage solid waste in an environmentally, economically, and politically acceptable manner, the importance of a state-federal partnership and in support of the objectives of the Resource Conservation and Recovery Act (RCRA), NCSL recommends:

- That the federal government should significantly increase technical assistance to state and local governments in developing comprehensive source reduction, source separation, reuse and recycling plans while fully recognizing the primacy of state and local governments in solid waste management. Due to this primacy, the federal government should restrict its role to reviewing these plans by setting performance standards.
- The revision of regulation, tariffs and transportation policies to remove artificial price supports in order to create regulatory parity between recyclable and reusable material and virgin material.
- Full implementation of the provisions of RCRA requiring the federal government to promulgate regulations for federal procurement of recycled products. The federal government should give priority consideration to the purchase of reusable and recycled products and allow a temporary price differential, where applicable, for goods made from recycled materials.
- Congress should provide for a limited waiver of the Commerce Clause to provide states with the greatest authority possible to manage solid waste. Such a waiver should allow states to restrict imported waste and to allow restrictions on the exportation of waste, including the imposition of differential fees.
- That funds received from any permits authorized by federal law and issued by states for purposes of management of solid waste shall be expended as determined by state legislatures.
- The U.S. Environmental Protection Agency (U.S. EPA) should be required to adopt policies that encourage both the hazardous waste content of products and industrial hazardous waste by-products be kept to a minimum, and that hazardous waste materials be reused, recycled or made non-hazardous whenever possible.
- The work of the Agency for Toxic Substances and Disease Registry (ATSDR) should be supported and expanded. Such studies and work should be funded through disbursements from the Superfund Trust Fund or through appropriations from the general revenue fund. Any information gathered from either federal or private sources should be subject to peer review and made available as needed.

- The federal government should be required to adopt hazardous waste reduction policies applicable to federal activities and facilities to reduce waste and develop new and improved waste elimination technologies. Such policies should include federal procurement guidelines that permit suppliers to modify their manufacturing processes to accommodate pollution prevention practices.
- Congress should adopt policies that promote the availability of affordable environmental liability insurance, including economic incentives for industry to establish its own voluntary insurance pool or insurance fund.
- States should be allowed flexibility in devising their hazardous waste management plans and regulations, including the setting of priorities.
- The importation of hazardous waste from foreign countries should be controlled through treaties and other agreements.
- Federal policies and agreements that decrease the dumping of hazardous waste in developing countries should be established.
- Health effects studies conducted by the federal government should be comprehensive and based on established exposure standards and measurements and monitoring methodology to be admissible as evidence in victims' compensation court cases.
- The disincentives for reuse and recycling of electronics scrap or e-scrap must be examined and mitigated by all relevant stakeholders.
- NCSL encourages the full cooperation and assistance of the federal government in state efforts to promote responsible product stewardship and encourage the development of an infrastructure necessary to support the widespread recovery of a broad range of electronic equipment. Any legislative or regulatory action taken at the federal level must recognize the importance of a state-federal partnership in managing the current stream of end-of-life electronics and promote future product stewardship of electronic equipment.

Oil Pollution Act of 1990 Reform

To assure the avoidance of oil spills and ensure the timely, effective containment and clean-up of said spills to minimize environmental damage, NCSL recommends:

- Continued efforts toward full implementation of all provisions of the Oil Pollution Act, particularly provisions dealing with spill prevention including, but not limited to, staffing standards, vessel traffic service systems, alcohol and drug policy, double hulls, equipping and inspection of vessels, pilotage requirements, and provisions for navigational safety.
- Adequate funding of the U.S. Coast Guard to assure full implementation of their responsibility under the Act such as periodic inspections of vessels and implementation of the national planning and response system, including, but not limited to, contingency plans, response units and local area communities.
- Full implementation of the preparation of response plans by tank vessels and onshore and offshore facilities, and also of the requirement for bulk vessels to carry clean-up equipment.
- Full implementation of the research and development provisions of the Act including the Coast Guard's conduct of oil pollution minimization projects. To prevent duplication, NCSL calls on the federal agencies with research funding to coordinate research projects with the states.
- Continued preservation of states' authority to impose additional liability or other requirements with respect to oil spills and removal activities and to establish state oil spill funds and penalties.
- Safety and operational requirements for vessels apply, where appropriate, to barges as well.
- Support for the federal responder immunity standard.
- Clarification of jurisdiction of federal and state natural resources trustees in areas pertaining to oil spill prevention, response and cleanup.
- The Federal Government streamline authorization of states' plans and to expedite state action to prevent and clean up spilled oil during times of crisis.
- The Federal liability limit for damages resulting from oil spills should be removed.

Abandoned Mine Reclamation Fund Reform

NCSL urges Congress to appropriate the entire amount of money annually deposited in the Abandoned Mine Reclamation Fund. NCSL also urges Congress to expand the program to include hard rock mines, incorporate funding from all mining activity and require the U.S. Department of Energy to clean up abandoned uranium mines used for defense purposes.

Microplastics Research

The National Conference of State Legislatures urges the United States Environmental Protection Agency to increase research efforts on microplastics.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: AMERICAN WILDLIFE

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) believes that maintaining strong and resilient American wildlife is critical to our nation's identity. Furthermore, protecting American wildlife helps ensure significant benefits for both the public and industry, including biodiversity, resilient ecosystems and future cultural value. NCSL recognizes that decisions affecting American wildlife must reflect a working partnership of the federal government with the states in both the formulation and implementation of policy.

Recovering America's Wildlife

NCSL recognizes that habitat loss, wildlife diseases, invasive species, pollution and the impacts of climate change pose significant threats to fish and wildlife species. There are over 1,600 United States' native species are federally protected under the Endangered Species Act and estimates suggest one in five native species is at risk of extinction. Additional funding could help states to address at-risk wildlife before they require protection under the federal Endangered Species Act which can be more costly and disruptive. The Recovering America's Wildlife Act would provide the additional funding to state wildlife agencies that is necessary to accelerate implementation of State Wildlife Action Plans. NCSL urges the President of the United States and Members of Congress to act to pass and sign into law the Recovering America's Wildlife Act.

Chronic Wasting Disease

Chronic Wasting Disease (CWD) affects cervids such as deer, elk, and moose and has been detected in at least 36 states, according to the Center for Disease Control's (CDC) August 2025 data. This disease creates great suffering and death of wildlife and threatens to infect more animals and impact ecosystems and economies. Furthermore, recent research indicates CWD may be spread by ticks, and has the potential to jump into human populations. States currently grappling with CWD are incurring significant costs to respond to the disease, often requiring the wildlife management agencies and research universities to divert limited resources from other vital activities. NCSL urges Congress to provide states with additional flexible federal funds for research and response to emerging wildlife diseases, in order to effectively address this and other multi-state wildlife disease crises and enable states to assure their wildlife populations are healthy. These funds must be provided without federal mandates on state wildlife management. Furthermore, NCSL supports National Institutes of Health funding to examine human health impacts from CWD.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: BEGINNING FARMERS AND RANCHERS

TYPE: CONSENT RESOLUTION

WHEREAS, the USDA generally defines “beginning farmer or rancher” as an individual who, “has not operated a farm or a ranch” or “has operated a farm or ranch for not more than 10 years” or “meets such other criteria as the Secretary of Agriculture may establish”; and

WHEREAS, the USDA’s National Agriculture Statistic’s Service Ag Census data has found that approximately one third of all American farmers are 65 or older; and

WHEREAS, there is increasing risk and uncertainty in the agriculture industry due to the significant negative impacts of natural disasters on production, threats from domestic and foreign animal diseases, supply chain challenges, ongoing net agriculture trade losses and current uncertainty around tariffs and international trade; and

WHEREAS, the impacts of natural disasters, including flooding, hail, drought and wildfire, cost agriculture producers an estimated $20 billion in 2024, making it increasingly difficult for agriculture producers, especially beginning farmers and ranchers to sustain their operations; and

WHEREAS, agriculture has high input costs and beginning farmers and ranchers need significant capital and resources to rent or acquire the land, equipment and other items necessary to start their business and maintain vital profitability and sustainability during the first ten years of operation; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to continue to support the development of the next generation of the agriculture workforce by administering federal support programs and providing grants, loans, insurance, technical assistance and training to all Americans seeking to work in agriculture or become a farmer, forester or rancher; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to continue to support state level tax incentives, programs, grants and projects that support or administer support to beginning farmers and ranchers and to reject any changes to federal agencies, programs, grants or projects that would negatively impact how states receive and administer federal assistance; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress to regularly enact new farm bill legislation every five years, ensuring the timely renewal of federal support for America's beginning farmers and ranchers; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration, and relevant federal agencies to support agriculture producers, especially beginning farmers and ranchers, recovering from the devastating impacts of natural disasters.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: DATA CENTER IMPACTS ON POWER GENERATION AND GRID RESILIENCY

TYPE: CONSENT RESOLUTION

WHEREAS, the increasing digitization of everyday life and technological innovations such as artificial intelligence, cloud computing, cryptocurrency mining and more are driving the construction of large-scale data centers.

WHEREAS, data centers are critical for the modern economy and can provide significant economic development for regions through growth of local property tax bases, job creation during and after construction, and attraction of other high-tech businesses due to proximity to data centers;

WHEREAS, according to the U.S. Department of Energy and the Electric Power Research Institute, total energy demand in the U.S. is expected to spike in coming years, potentially increasing 15-20 percent in the next decade. Data centers could use 9 percent of all electricity generated in the country by 2030, up from 4 percent in 2023.

WHEREAS, existing and new data centers increase pressures on an overburdened and aging power grid that requires large investments in new and existing infrastructure, as well as significant permitting reform.

WHEREAS, when paired with smart planning and infrastructure investment, data centers can help modernize the grid, accelerate integration of any and all energy generation sources, and provide backup generation capacity during peak demand or emergencies – supporting grid innovation,

WHEREAS, the increased demand for power caused by data centers can significantly raise costs for rate payers and cause serious concerns about cost sharing among residential users, small businesses and large companies, especially when companies negotiate for “behind the meter” access to power.

WHEREAS, many data centers are already taking steps to increase sustainability and mitigate potential environmental impacts, data centers can generate significant sustainability and community concerns, including vast water consumption, greenhouse gas and heat emissions, noise pollution, and electronic waste.

WHEREAS, these large-scale building projects come with siting concerns, especially around grid connection and facility accessibility in areas that lack existing power or service infrastructure to support large facilities.

WHEREAS, many states share security concerns regarding companies owned by adversarial countries (as defined by the Department of Homeland Security) using domestic data centers, building their own data centers and connecting them to the existing domestic power grid.

WHEREAS, cooperation and collaboration between data centers, by states and regions is necessary to invest in infrastructure, improve energy management, and create cohesive and integrated systems and prevent interstate conflicts over cost burdens, power supply and transmission.

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges Congress and the administration to take the following actions with input and consultation from the states or their national associations to help states address this rapidly growing issue:

1. Include state policy makers in all stakeholder discussions regarding data center placement and energy usage and refrain from pre-empting states on siting, permitting, taxation and other regulatory issues relating to the construction and operation of data centers.
2. Recognize opportunities for data centers to contribute to grid stability and resiliency while mitigating the impact of data centers on rate payers and communities, as well as protect local consumers' need for power when disruptions limit the amount of available power

3. Develop incentives and/or implement requirements for data centers regarding onsite generation of power, integration of energy-storage and demand-management systems at new data center projects.
4. Require utility operators to file documentation related to data centers with appropriate state and federal regulatory agencies that detail terms and conditions of service and associated prices to facilitate transparency and protect rate payers.
5. In cooperation with states and localities, encourage regional planning for power generation, including building national infrastructure in a way that makes sense for states and localities, nuclear power generation and valuing the grid as a national asset. This approach could disincentivize states from engaging in undue and damaging competition.
6. Expand oversight of the process by which large customers—such as large data centers or manufacturing plants—obtain power while protecting smaller consumers equitable access to power and other limited resources.
7. In consultation with states and their national associations, establish guidance and oversight of sustainability practices, including reducing emissions, mitigating onsite water consumption, reducing noise pollution and other community concerns.
8. Provide funding and resources to states to help data centers optimize operations through power management, workload optimization and other innovations.
9. Require data centers to regularly report to the appropriate local, state and federal agencies on their electricity and water usage to ensure transparency and facilitate equity in costs.
10. Work with states to create cost allocation methods that help ensure large-scale energy users are paying their fair share of costs using the “cost causation” and “beneficiary pays” principles.
11. Provide funding and resources to Department of Energy labs and other relevant federal agencies to increase their capacity to work with states and provide technical assistance to help navigate future energy needs and supplies.

12. Promote best-practice cybersecurity, physical security, and supply-chain security measures to protect U.S. data center operations from foreign adversary access or compromise.

COMMITTEE: **NATURAL RESOURCES, ENERGY & ENVIRONMENT**

POLICY: **ELECTROMAGNETIC PULSES AND SOLAR FLARES**

TYPE: **CONSENT RESOLUTION**

WHEREAS, protecting the nation's electric power grid and ensuring a reliable and affordable supply of energy are key priorities for the electric power sector and state and federal governments; and

WHEREAS, the power grid is a complex, interconnected network of generation, transmission, distribution, control, and communication technologies that can be impacted by natural events-including weather, earthquakes and geomagnetic disturbances (GMDs) like those caused by solar flares-and by malicious events, like cyber or physical attacks including electromagnetic pulses (EMPs); and

WHEREAS, the electric and nuclear sectors are critical infrastructure providers with mandatory and enforceable standards to help protect the reliability and security of the power and grid assets they own and operate; and

WHEREAS, standards can ensure that every electric utility meets a baseline level of security and the electric industry also relies on close coordination and partnerships with federal law enforcement and security agencies to help defend against hostile nation-states or other attacks against the United States, including EMP threats from a nuclear device; and

WHEREAS, intentional, manmade EMPs, such as those from directed energy weapons or high-altitude nuclear blasts, and naturally occurring GMDs, such as those caused by solar flares, need to be assessed and addressed with appropriate mitigation and protection strategies implemented for each; and

WHEREAS, preventing an EMP event is a national security issue, as the planning and launching of a nuclear attack on U.S. critical infrastructure constitutes an act of war or terrorism, thus the federal government is primarily responsible for preventing a high-altitude EMP as a matter of national security; and

WHEREAS, reasonably cost-effective technological solutions are emerging to protect from EMP threats that could be implemented in phases, starting with the greatest risks first; and

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges members of Congress and the President of the United States to initiate and coordinate efforts with state governments and the electric power sector to implement plans and preparation for the protection of electric power generation, transmission and distribution assets from EMPs and geomagnetic disturbances (solar flares); first addressing those sectors most vulnerable and with the longest lead times for repair, and then by using a risk based assessment approach to harden the remainder of nation's electric production, transmission and distribution systems for resilience against, and recovery from, all types of malicious or naturally occurring events that could adversely impact the electric power grid.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: FORESTRY

TYPE: CONSENT RESOLUTION

WHEREAS, in the United States 800 million acres, approximately one third of its land mass, is covered in forests and of that acreage, Federal and state and local governments, owned and managed approximately 238.4 million and 82.7 million acres respectively as of 2012; and

WHEREAS, direct federal forest management responsibilities are carried out by the U.S. Department of Agriculture's Forest Service, the Bureau of Land Management, the U.S. National Park Service and the Department of Defense across 43 states and the territory of Puerto Rico; and

WHEREAS, federal agencies provide several vital programs, technical expertise and funding to help with nationwide forest management and local and regional issues; and

WHEREAS, federal, state and local government and private forests can be used for production, conservation and recreation, outdoor recreation in federal forests contribute at least to $13 billion to the American economy annually and in 2012 approximately 67% of U.S. forests predominantly focused on production; and

WHEREAS, the forest-based economy exists in every U.S. state and generates more than $280 billion worth of forest products annually in the U.S.; and

WHEREAS, the stability of American forestry currently faces numerous threats including development, droughts, wildfire, extreme weather events, outbreaks of disease and invasive species and pests, which the Forest Service has indicated could lead to net forest loss; and

WHEREAS, invasive species, such as certain bark beetles, emerald ash borers, spotted lanternflies and many others have had devastating impacts on certain domestic tree species and have been detrimental to American forest health more broadly; and

WHEREAS, threats to the forestry industry from natural disaster are rising, the Congressional Research Service found that in fiscal year 2022, 63 million acres of national forest system lands had a high or very high wildfire hazard potential and in 2024 there were over 35 individual fires that burned over 40,000 acres; and

WHEREAS, the National Interagency Coordination Center Wildland Fire Summary and Statistics 2024 Annual Report found that there were 64,897 wildfires reported across the United States in 2024, and they destroyed more than 4,500 structures and damaged 8,924,884 acres. These occurrences are statistically higher than the five- and ten-year averages; and

WHEREAS, as the threat of wildfires increases, so does the need for increased federal preparedness and response as wildfires do not recognize jurisdictional boundaries, in 2024 only one in five wildfires were on federally protected lands; and

WHEREAS, many states, including Western, Great Lakes and Appalachian areas, are comprised of significant tracts of federal land and should not be held solely responsible for wildfire preparedness and response; and

WHEREAS, several states have already taken and continue to take action to respond to the threat of wildfires, by increasing funding for forest management, creating or increasing state wildfire funds, joining inter-state wildfire fighting compacts and improving state firefighting workforces and equipment fleets; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress and the administration to maintain and sustain the role, scope and adequate and appropriate funding and staffing levels of all federal forestry and wildfire agencies, programs, grants, technical assistance and projects that assist states and landowners with forestry, forestry management, timber production, reforestation and wildfire preparedness, mitigation, resilience, response and recovery and to reject any changes to federal agencies, programs, grants, technical assistance or projects that would negatively impact how states conduct forestry management or receive federal wildfire assistance; and

LET IT BE FURTHER RESOLVED, as state forestry agencies are the primary delivery system for forest management activities nationwide, the National Conference of State Legislatures opposes any federal action, activity or unwarranted preemption that would undermine or usurp state forest management roles, responsibilities or regulatory authority; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to support and encourage sustainable forestry practices, conduct forestry research, support industry innovation and development, make wildfire reduction practices more economically feasible and keep forestland working forestland; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, to regularly enact new farm bill legislation every five years, to ensure the timely renewal of federal support for American foresters and forestry.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: GROWING OUTDOOR RECREATION ON PUBLIC LANDS

TYPE: CONSENT RESOLUTION

WHEREAS, America's public lands and waters comprise approximately 600 million acres managed by federal, state and local entities; and

WHEREAS, according to the U.S. Department of Commerce's Bureau of Economic Analysis (BEA), outdoor recreation generated $1.2 trillion in economic output and accounted for 2.3% of U.S. gross domestic product in 2023; and

WHEREAS, BEA also found that outdoor recreation generated five million jobs across the country and accounted for 3.1% of all U.S. employees in the same time period; and

WHEREAS, regular outdoor recreation is associated with economic growth, positive health outcomes, and better quality of life, and many outdoor recreation businesses are small, locally owned and operated businesses that are the cornerstones of rural communities; and

WHEREAS, it is important that the federal government, in partnership with state and local governments, ensure that access to outdoor recreation is available to all Americans for generations to come; and

WHEREAS, the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act combined several existing bills—including the Recreation Not Red Tape Act and Simplifying Outdoor Access for Recreation Act—with new concepts such as improved broadband connectivity at developed recreation sites, online collection of recreation fees, federal collaboration with state, local and Tribal governments in identifying and assessing housing, municipal infrastructure and other needs of gateway communities to expand visitation to federal lands and waters; and

WHEREAS, the EXPLORE Act passed both chambers of Congress unanimously; and

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges members of Congress and the president of the United States to work with states to effectively implement the provisions of the EXPLORE Act.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS)

TYPE: CONSENT RESOLUTION

WHEREAS, Per- and Polyfluoroalkyl Substances (PFAS) are a class of over 15,000 synthetic chemicals that are resistant to heat, water and oil. PFAS have been defined by over 20 states as a class of fluorinated chemicals containing at least one fully fluorinated carbon atom. Perfluorooctanoic Acid, also known as PFOA, and Perfluorooctane sulfonate, also known as PFOS, are a subset of PFAS chemicals; and

WHEREAS, PFAS are sometimes referred to as “forever chemicals” because they break down very slowly and thus can build up in soil, water and air over time; and

WHEREAS, PFAS have been and continue to be widely used in modern manufacturing since the mid-twentieth century and they can be found in a multitude of consumer, commercial and industrial products; and

WHEREAS, humans and the environment can be exposed to PFAS via multiple sources, including but not limited to industrial products, personal care products, cleaning products, clothing, furniture, appliances, electronics, food packaging, in low levels in certain food products intended for human consumption, water, biosolids and more; and

WHEREAS, according to EPA research, PFAS have been found in human and animal blood throughout the country, additionally a Centers for Disease Control and Prevention report found PFAS in the blood of 97% of Americans; and

WHEREAS, scientific studies have identified links between exposure to PFAS chemicals and harmful health impacts in humans and animals; but scientific understanding of PFAS impacts on human and animal health remains limited; and

WHEREAS, public awareness about PFAS and concern around exposure sources and unknown human and environmental impacts has been rising; and

WHEREAS, thirty states have adopted over 100 policies to address PFAS and PFAS contamination; and

WHEREAS, although the EPA initially finalized a National Primary Drinking Water Regulation for six PFAS compounds in April 2024, subsequent agency actions scaled back the rule to enforce maximum contaminant levels solely for PFOA and PFOS while extending compliance deadlines to 2031; and

WHEREAS, current federal funding is likely insufficient to address the total remediation and clean-up of PFAS in drinking water and does not address PFAS remediation and clean-up in other sectors; and

NOW, THEREFORE, BE IT RESOLVED, current federal action on PFAS prevention and funding is likely insufficient to address the total remediation and clean-up of PFAS in drinking water and does not address PFAS remediation and clean-up in other sectors; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to identify, study, test, and remediate PFAS, including but not limited to drinking water and the domestic food supply; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls for Congress, the administration and relevant federal agencies to make all federal PFAS and PFAS response legislative and regulatory standards the floor and not the ceiling, and allow states to enact additional PFAS restrictions and regulations within their jurisdictions as deemed appropriate by state legislative and executive branches; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to engage in state-federal intergovernmental communication, collaboration and coordination on PFAS and PFAS response, as well as to consult with states prior to implementing federal PFAS or PFAS response legislative or regulatory standards, including but not limited to proposed PFAS exposure limits or clean up requirements and the National Conference of State

Legislatures strongly opposes any such federal legislation or regulation that enacts unfunded or burdensome mandates on states; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to provide appropriate funding, resources and technical expertise to states and territories to help with state-level PFAS response capacity building, as well as assistance with PFAS studies, prevention, transition to safer alternatives, source identification, treatment, mitigation, remediation, clean-up removal and disposal in all areas of contamination, including but not limited to drinking water and the domestic food supply; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures supports continued clear and accurate communications about federal PFAS findings.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: INVASIVE SPECIES

TYPE: CONSENT RESOLUTION

WHEREAS, the U.S. Department of Agriculture's National Invasive Species Information Center has identified over 6,500 species commonly known as "invasive, noxious, prohibited, or otherwise harmful or potentially harmful" that have become established in the United States; and

WHEREAS, there is no set federal standard for managing all invasive species and their management and regulations are left primarily to state and local governments. What legislation that has been passed by Congress on this subject has historically been narrowly focused on a specific invasive species or impact; and

WHEREAS, there are a multitude of state, local and Federal entities, including the National Invasive Species Council, the U.S. Department of Agriculture and the White House, involved in the management and regulation of invasive species, which can make effective management and coordinated prevention, mitigation, management and eradication challenging; and

WHEREAS, invasive species have significant negative impacts on the U.S. economy, and can be detrimental to national security, food security and natural resources. Impacts can include devastating native plant and animal populations, further jeopardizing threatened or endangered species, harming biological diversity and ecosystems, impairing or destroying crop, livestock, fishery and timber production, denigrating valuable investments including property values, damaging vital infrastructure, disrupting recreational activities and threatening human health; and

WHEREAS, in 2025, the U.S. Forest Service estimates that invasive species cause over $138 billion in economic losses annually; and

WHEREAS, invasive species can be introduced to the U.S. intentionally bad actors or unintentionally through a number of natural and manmade pathways including being transported via people or goods, including on vehicles and watercraft, due to international and domestic trade and travel, via living industries such as exotic pets, plants, and food, and via natural spread or other miscellaneous routes; and

WHEREAS, current federal action on invasive species management and funding is insufficient to address the total prevention, management and eradication of invasive species; and

NOW, THEREFORE, BE IT RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to increase funding and develop new funding opportunities, including grants, for invasive species research, as well as the prevention, mitigation, management and eradication of both endemic and novel invasive species; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress and the administration to maintain and sustain the role, scope and adequate and appropriate funding and staffing levels of all federal programs, grants, technical assistance and projects that assist states, local governments, businesses and landowners with invasive species prevention, mitigation, response and eradication and to reject any changes to federal agencies, regulations, funding, programs, grants, technical assistance or projects that would negatively impact how states conduct invasive species management or receive federal assistance; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures urges Congress, the administration and relevant federal agencies to continue engagement in state-federal intergovernmental communication, collaboration and coordination on invasive species management, as well as to consult with states prior to implementing federal legislative or regulatory standards for invasive species management; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures supports ongoing and improved good neighbor practices lead by the federal government that helps improve state-to-state and state-to-federal communication and coordination on invasive species prevention, mitigation, management, response and eradication; and

LET IT BE FURTHER RESOLVED, as state and local governments are the entities primarily responsible for the legislative and regulatory management of invasive species nationwide, the National Conference of State Legislatures opposes any federal action, activity or unwarranted preemption that would undermine or usurp state invasive species management roles, responsibilities or regulatory authority and the National Conference of State Legislatures strongly opposes any such federal legislation or regulation that enacts unfunded or burdensome mandates on states; and

LET IT BE FURTHER RESOLVED, the National Conference of State Legislatures calls on Congress, the administration and relevant federal agencies to support and encourage sustainable invasive species management practices, conduct research into the prevention, mitigation, response and eradication of endemic and novel invasive species, support industry innovation and development to protect against the adverse effects of invasive species, make invasive species management practices more economically feasible and help protect the American economy, national security, infrastructure and vital industries.

COMMITTEE: NATURAL RESOURCES, ENERGY & ENVIRONMENT

POLICY: RECOGNIZING THE IMPORTANCE OF FAIR COMPETITION, STRONG SUPPLY CHAINS, AND ECONOMIC OPPORTUNITY IN GROCERY RETAIL AND MEAT PROCESSSING

TYPE: CONSENT RESOLUTION

WHEREAS, a competitive grocery retail and meat processing sector is essential to ensuring affordable food, resilient supply chains, economic opportunity, and consumer choice; and

WHEREAS, farmers, ranchers, workers, consumers, independent businesses, and local communities all benefit when markets remain competitive and accessible; and

WHEREAS, increasing consolidation in grocery retail and meat processing has concentrated economic power among a small number of large corporations, reducing competition throughout the food supply chain; and

WHEREAS, several major retailers have expanded their ownership and control of meat processing facilities, including investments in poultry and beef production and processing operations; and

WHEREAS, greater vertical integration may create efficiencies but can also raise concerns regarding market access, competitive fairness, pricing transparency, and the ability of independent producers and businesses to compete on equal terms; and

WHEREAS, robust competition helps ensure that farmers and ranchers receive fair market opportunities, workers have access to quality jobs, consumers benefit from competitive prices, and local businesses can participate in regional economies; and

WHEREAS, federal laws, including the Robinson-Patman Act and the Packers and Stockyards Act, were enacted to prevent unfair preferences and discriminatory practices that distort markets and undermine competition; and

WHEREAS, policymakers at all levels of government share a responsibility to promote fair and open markets, support economic opportunity, and prevent anticompetitive conduct that harms consumers, producers, workers, and small businesses; and

WHEREAS, preserving diverse and competitive food supply chains strengthens economic resilience, food security, and local economic development; therefore, be it

NOW, THEREFORE, BE IT RESOLVED, NCSL recognizes the importance of maintaining competitive grocery retail and meat processing markets that provide opportunities for workers, farmers, ranchers, consumers, and independent businesses; and

LET IT BE FURTHER RESOLVED, NCSL supports policies that promote fair competition, transparency, market access, and economic opportunity throughout grocery retail and meat processing industries; and

LET IT BE FURTHER RESOLVED, that copies of this resolution be transmitted to the Attorney Generals of all 50 States, the Federal Trade Commission, the Antitrust Division of the United States Department of Justice, and the United States Department of Agriculture for their consideration and action.

COMMITTEE: TECHNOLOGY AND COMMUNICATIONS

POLICY: ARTIFICIAL INTELLIGENCE

TYPE: CONSENT RESOLUTION

Artificial Intelligence

State Leadership in AI Policy Development

The National Conference of State Legislatures recognizes that AI is transforming society and the economy, with applications in nearly every sector. While AI has the potential to drive innovation, improve services and create efficiencies, it also raises pressing concerns.

State legislatures are at the forefront of addressing these opportunities and risks. Lawmakers are engaging with a diverse set of stakeholders to enact laws and regulations that promote innovation while protecting public interest. These state-led efforts are essential to ensuring that AI technologies are developed and deployed in ways that reflect the unique values, needs and priorities of their communities.

Preserving State Authority in AI Regulation

NCSL strongly opposes any attempt by Congress, federal agencies or the administration to preempt state laws or undermine state authority over AI policy. Preemption would interfere with the ability of states to act swiftly and responsively as technology evolves and would compromise public trust in AI governance.

Federal laws and regulations in the AI space should establish a strong baseline of protections that uphold individual data privacy, ensure transparency in AI-driven decisions and maintain meaningful human oversight over critical systems. NCSL encourages Congress to ensure that consumers retain ongoing, meaningful control over how their data is used in downstream applications, including emerging technologies such as artificial intelligence. This includes consideration of how individuals may exercise rights over data that has been shared, sold or incorporated into automated systems, and how such rights can be implemented in a practical and enforceable manner.

Congress should support states' ability to build upon federal standards to address emerging risks and maintain accountability. Federal policy should include clear savings clauses, transition periods and mechanisms for coordination that allow states to continue enforcing their laws and adapting to emerging technologies, while working toward shared national goals.

Federal-State Collaboration on AI Governance, Enforcement and Oversight

NCSL urges Congress, federal agencies and the administration to engage with state lawmakers in the development of AI policy. States must be consulted throughout the legislative and regulatory process, and their laws and innovations should be viewed as critical components of a broader national strategy. Effective governance of AI requires sustained intergovernmental collaboration and mutual respect for the dual roles of state and federal governments.

Strong AI governance depends not only on clear rules, but on effective oversight and enforcement. NCSL urges Congress to support state and local enforcement authorities through funding, data sharing, technical expertise and intergovernmental coordination. Federal agencies should partner with states to develop best practices for auditing AI systems, responding to complaints and addressing documented harms, while respecting states’ primary role in protecting their residents.

Transparency and Accountability in AI Systems

NCSL supports transparency as a cornerstone of public trust in AI technologies. Individuals have a right to know when AI systems are being used, what the systems were designed for, how decisions are made, and what data is being collected and processed. Equally important is accountability, which ensures that those developing and deploying AI systems have some responsibility for their impacts and outcomes.

Federal Investment in AI Research and Education

NCSL supports responsible federal investment in AI research through institutions such as the National Science Foundation, the National Institute of Standards and Technology, and the National Institutes of Health. These initiatives should include mechanisms for sharing research findings with state policymakers to inform evidence-based decision making. National Laboratories should also collaborate closely with state and federal governments to ensure AI research aligns with public needs and supports policy development. Additionally, NCSL urges the federal government to launch national education and public awareness campaigns to increase the public's understanding of emerging technologies, including AI technologies, their applications and their implications as well as potential risks and harms that can arise without proper guardrails.

Labor Market Data, Workforce Development and Economic Opportunity

Federal policies should improve the availability, timeliness and quality of labor market data related to AI-driven automation, displacement, job creation and job transformation, including efforts to better measure the number and types of jobs being lost, created or materially changed by AI. Such policies should also promote meaningful data sharing between federal agencies and states and ensure that research conducted by the U.S. Department of Labor and its affiliated research centers is regularly shared with states and other stakeholders to support workforce planning and economic development strategies.

NCSL supports responsible federal investments in workforce development, including upskilling and training programs that ensure students, workers and underserved communities can fully participate in and benefit from the AI-driven economy.

Federal policies should also support efforts to recruit, retain and develop technical talent including through federal funding, fellowships and public–private partnerships that enhance public-sector capacity to implement and oversee AI policy.

Safeguarding Against Malicious Uses of AI

NCSL calls on Congress to partner with states to prevent and hold those accountable or the creation and distribution of non-consensual AI-generated intimate images, electoral deepfakes, and other malicious uses of generative AI, including deepfakes. These technologies pose serious threats to individual rights, dignity and safety. Federal action in this area must complement, not preempt, state efforts to protect their residents.

Cybersecurity

Enhanced federal-state coordination on cybersecurity standards and incident response protocols is essential to protecting critical AI infrastructure that serves citizens and supports economic growth across all levels of government. NCSL urges the federal government to strengthen cybersecurity infrastructure and information sharing mechanisms that support both state and private sector AI systems against evolving cyber threats.

Policymakers should also prioritize resilience planning that ensures continuity of essential services and critical infrastructure in the event of system failures, cyberattacks or disruptions to AI-dependent infrastructure. This includes maintaining a skilled workforce and operational redundancies capable of understanding, managing and restoring critical systems without reliance on automated or AI-driven processes.

Responsible Government Use of AI

State and local governments are increasingly deploying AI systems to deliver public services, manage infrastructure and improve operational efficiency. NCSL urges Congress and the administration to support responsible government use of AI by promoting transparency, auditability and accountability in procurement and deployment decisions. Federal guidance and funding should help states ensure that AI systems used in high stakes government functions, such as benefits administration, employment, education, healthcare, child welfare, public safety and criminal justice are explainable, regularly evaluated for accuracy and bias and subject to meaningful human oversight.

Targeted, Risk-Based Regulation

AI technologies vary widely in their capabilities and potential impacts. NCSL encourages Congress and the administration to consider a targeted, risk-based, and use-specific approach to AI governance that prioritizes oversight of applications presenting clear and demonstrable risks to individuals' rights, safety and economic opportunity, while supporting continued innovation and economic growth.

States are well positioned to assess risk in context and tailor protections to specific sectors such as employment, housing, education, healthcare and elections. Federal policy should support this approach by establishing narrow baseline expectations for clearly defined high-risk uses, while avoiding unnecessary regulatory burdens and preserving state flexibility to address sector-specific concerns as technology and use cases evolve.

Voluntary incident reporting database

NCSL encourages federal policymakers to establish a voluntary, incident reporting mechanism to support information sharing among regulators, researchers and governments regarding emerging AI risks, system failures and unexpected harmful behavior, including civil rights issues.

Reporting and Evaluation Requirements

NCSL encourages federal policymakers to require targeted and appropriately scoped transparency and reporting obligations for AI models that have capabilities that present significant national security, public safety or systemic risks. These requirements should be designed to minimize compliance burdens, and intended to enable risk monitoring, inform policymakers and support coordination with state regulators.

Congress and the administration should also require targeted pre-deployment risk evaluations of the most advanced generative AI systems for high-risk capabilities, including the facilitation of chemical, biological, radiological or nuclear harms, with appropriate safeguards, expert oversight and coordination with state authority.

COMMITTEE: TECHNOLOGY AND COMMUNICATIONS

POLICY: MODERNIZING THE UNIVERSAL SERVICE FUND

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures (NCSL) affirms that access to secure, reliable and affordable high-speed internet is essential to the nation's economic strength, public safety and democratic participation. Broadband connectivity underpins family life, education, health care, business innovation, emergency response and the delivery of government services at all levels.

NCSL recognizes that the United States must modernize its communications infrastructure to reflect a 21st-century digital reality. Expanding universal access to advanced broadband networks strengthens public safety and resilience by improving emergency communications, disaster recovery and cybersecurity; supports economic growth and innovation by enabling remote work, small business development, STEM education, telehealth and global competitiveness; and helps bridge persistent digital divides that disproportionately affect rural, Tribal and low-income communities.

Universal service policy must also reflect the evolving nature of connectivity. Digital inclusion today depends not merely on basic access, but on robust, high-capacity and scalable broadband infrastructure that allows individuals and communities to fully participate in civic and economic life. Modern broadband infrastructure is a foundational component of a more inclusive, connected and competitive society.

NCSL acknowledges Congress's longstanding commitment to universal service, first established in the Communications Act of 1934 and reaffirmed through the creation of the Universal Service Fund (USF) in the Telecommunications Act of 1996. While the USF has played a critical role in expanding access through programs such as E-Rate and Lifeline, its structure has not kept pace with rapid technological change.

The USF continues to rely heavily on declining revenues from legacy telecommunications services, and its funding mechanisms and focus areas remain largely centered on voice services rather than modern broadband needs. As a result, the current model is increasingly unsustainable and misaligned with the connectivity demands of households, businesses, schools and health care providers. Millions of Americans, particularly in rural and underserved areas, still lack access to reliable, high-speed internet.

NCSL supports modernizing the USF to ensure it remains sustainable and relevant in a broadband-first era. This includes updating the contribution base to reflect how communications services are delivered and used today, while preserving the program’s core mission of ensuring universal, affordable access.

Any reforms should complement and support state broadband efforts, respect state authority and provide flexibility for states to address unique local needs and emerging challenges.

COMMITTEE: TRANSPORTATION

POLICY: OUR NATION'S RAIL SYSTEM

TYPE: CONSENT DIRECTIVE

The National Conference of State Legislatures recognizes viable passenger and freight railroad systems are essential to achieving a balanced intermodal transportation system and ensuring personal mobility, the free flow of commerce and national security. Rail must have the same financial security provided the other modes of transportation, such as highways, transit, aviation and waterways. NCSL strongly supports a dedicated source of federal funding for passenger rail service.

The increasing mix of freight, commuter and intercity passenger rail on shared tracks and rights-of-way demands that concerns over liability and costs be rationally reviewed within the context of federal legislation. Fair and equitable standards for assessing costs, risks and priority usage are a necessary component of furthering the nation's rail network for passengers and freight.

Passenger rail progress should be complementary to—not in conflict with—freight rail development. Freight railroads should be fully compensated for the use of their property by passenger trains.

States should retain the ability to enact laws that govern railroad issues. NCSL encourages Congress to repeal provisions in federal law that exempt railroad companies from certain local and state laws.

Financing and Tax Issues

NCSL supports efforts by Congress to provide investment tax credits for railroad infrastructure investments that expand capacity for the movement of both passengers and freight. Without private sector rail investment in infrastructure to accommodate increasing demand for goods movement, freight increases will necessarily be diverted to highways, further congesting and damaging America's already challenged highway infrastructure. Anticipated future revenues will be inadequate to allow the railroads to privately finance all capacity improvements required even to maintain their current market share of freight traffic.

NCSL also urges the federal government to continue to support state flexibility in financing rail service in states. NCSL favors a range of options including grants, guaranteed loans, tax exempt bonds, public-private partnerships and targeted federal investment. The present state volume cap on bond financing with exemption from federal taxation imposes an artificial restraint on the use of such bonds for rail projects and should be eliminated.

NCSL further urges the federal government to allow states flexibility to use a portion of their allocation from the Highway Trust Fund to finance rail projects and service.

NCSL urges the federal government to continue the tax credit for short line and regional railroads as an important incentive for upgrading and modernizing inadequate track and bridge structures. This support is critical to aid states in maintaining essential branchline services that otherwise would be eliminated.

NCSL also urges the federal government to fund railroad infrastructure modernization grant programs such as “Capital Grants for Class II and Class III Railroads” program at 49 USC §22301 and the “Capital Grants for Rail Line Relocation” program at 49 USC §20154.

Federal laws that preempt the role of state courts by giving federal courts jurisdiction to establish the valuation of property for state and local tax purposes, or that give selected classes of state and local taxpayers procedural and substantive privileges unavailable to most taxpayers, offend principles both of federalism and equity.

NCSL urges the federal government to provide federal highway safety incentive grants to states to advance innovative pilot programs. These programs would increase enforcement of grade crossing traffic laws at both active and passive crossings.

Passenger Rail and High-Speed Rail

Successful evolution of an intercity passenger rail network throughout the United States, including dedicated high-speed corridors, will require cooperation among all levels of government. States will play a significant role in developing the high-speed and intercity passenger rail system, including developing state rail plans, providing funding and financing, conducting studies and analyses, securing rights-of-way, materials testing, construction, acquisition, inspections and determining where the train system interfaces with state transportation facilities.

NCSL urges the federal government to provide all possible assistance to increase the states' capacity to meet their expanded role in rail planning and evaluation under the provisions of the federal Passenger Rail Investment and Improvement Act of 2008. NCSL especially urges the federal government to increase the availability of voluntary planning and evaluation tools and to provide ongoing, permanent and dedicated funding to assist states with the planning and development of high-speed and intercity passenger rail. States require assistance in establishing cost estimates for building and operating high-speed and intercity passenger rail systems; benchmarking to gauge proposed projects and improvements; and developing and implementing key performance measures.

State legislators should be included in developing any federal guidelines for state models for rail governance and oversight. Any federal guidelines should continue to provide the states maximum flexibility over rail issues.

- Amtrak – The continued economic viability of Amtrak and other passenger rail providers is in the national interest. Federal funding should account for existing revenue deficiencies for Amtrak and other passenger rail providers and provide adequate funding for a capital improvement program.

- Intercity passenger rail – State and local support of intercity passenger rail systems has been critical to alleviating congestion, mitigating environmental concerns, and providing a feeder system to Amtrak. Federal support for these efforts is imperative. The federal government should provide a funding source for the states to implement cost-effective, efficient passenger rail as it does for other modes of transportation—motor vehicle, transit, air and waterway.

- Commuter rail – Commuter rail facilities using track owned by private freight companies have become an important part of the transportation system in urban areas. Use of track by commuter rail on an appropriate priority basis should be negotiated with the owner of the railroad track.
- High-Speed Rail – NCSL urges the federal government to support the states in meeting their expanded role in high-speed and intercity passenger rail and to facilitate interstate coordination as well as relationships among diverse stakeholders. NCSL also urges the federal government to support and facilitate the efficient integration of the high-speed rail network with local transportation systems to ensure the success of both. NCSL further recognizes that railroads over whose rights-of-way many high-speed rail authorities will operate have a legitimate concern over increased exposure to liability as a result of high-speed rail operations. This liability issue must be addressed by Congress in the context of high-speed rail legislation. NCSL requests that state legislators be included in ongoing cooperative agreements to explore solutions to this problem. The long-term goal in certain corridors should be track that is dedicated to high-speed service exclusively, in accordance with the U.S. Department of Transportation's definition of high-speed rail. The federal government should facilitate the steps to reach that goal over time.
- Research and Development – The federal government should continue to support research and development of advanced passenger rail technologies. Federal research should provide best practices and strategic assistance to states negotiating with freight-rail ownership of rights of way, in order to enhance on-time performance, frequency, speed and safety of passenger and freight facilities operating on the same track. Federal policy should encourage U.S. technology development and production while incorporating all other technologies.
- Planning and Evaluation – The ongoing development by the Federal Railroad Administration of the first National Rail Plan in the United States—in collaboration with the states and consistent with state rail plans, under the provisions of the federal Passenger Rail Investment and Improvement Act of 2008—is

encouraging. A comprehensive strategic plan establishing clear, long-range national goals and defining stakeholders' roles is necessary to build and strengthen an integrated, cohesive, and optimized interstate high-speed and intercity passenger rail network. NCSL urges the federal government to continue work on this key policy document, and requests that state legislators be included in its development.

Freight Rail

The states and the federal government have an interest in supporting an efficiently managed and well-maintained national freight railroad. It is a federal responsibility to ensure a competitive environment for the transport of freight. NCSL recognizes the interest of the states in preserving rail lines that are essential to local and regional commerce.

- Regulation – NCSL generally supports efforts designed to improve the regulatory climate of the freight rail industry by reducing the number of regulatory restraints that adversely affect the industry's economic performance. The regulatory needs of the railroad industry should be balanced with the captive shippers who have no alternative means of transportation available. NCSL also supports efforts to improve the regulatory climate of passenger rail.

- Other – The right of federal eminent domain should be granted only when there is a compelling national need for an alternative means of freight transportation.

Safety and Security

NCSL supports a continued federal role in setting national performance and safety goals. NCSL urges Congress to provide incentive funding to promote comprehensive rail safety programs in the states.

- NCSL urges the federal government to fully fund increased security measures needed in the passenger rail system, such as security checkpoints prior to boarding, luggage inspection and improved security of rail tunnels, rail bridges, rail switching areas and other areas identified by the Secretary of Homeland

Security as posing significant risks to public safety and security and the movement of interstate commerce. This effort should take into account the impact that any proposed security measure might have on providing rail service, deploying chemical and biological weapon detection equipment, dealing with the immediate and long-term economic impact of measures that may be required to address those risks, and training employees in terrorism response activities.

- Trespassing – NCSL recognizes that the vast number of injuries and fatalities associated with the railroad industry are due to trespassing incidents. The role of the federal government in this arena is appropriately one of conducting research and facilitating public awareness of the danger and the illegality of trespassing under state law.
- Grade crossings – NCSL recognizes the inherent risks of highway-rail grade crossings where motorists disregard even active warning devices and gates. Federal funding through the Section 130 program should be continued and increased to adequately compensate states and to provide states with incentives for reaching federal standards for grade crossing warning devices. The National Conference of State Legislatures encourages Congress to continue to create, expand, and enhance state and local grade crossing protection funds which have the effect of improving safety, mobility and economic development potential for both the railroads and motoring public throughout the country. The Federal Railroad Administration (FRA) is encouraged to finance a long-term national grade crossing safety awareness campaign. Federal preemption has effectively limited the role and responsibility of states over most aspects of rail transportation. However, state law has been preserved in some areas related to tort liability in accidents involving railroads; responsibility of motorists and pedestrians in yielding to rail traffic; and overall decisions on grade warning devices or closings. NCSL strongly opposes efforts by the federal government to preempt traditional state authority in these areas, to replace state statutes governing violations by motor vehicles and penalties for failing to yield to an

oncoming train, or to establish numeric standards for crossing closings to be accomplished by states.

- Research – Additional grade crossing research should be conducted in such areas as driver response to existing warning devices, improved crossing warning devices, low-cost active warning devices, off-track train detection systems, train conspicuity (reflectorization), locomotive conspicuity (lights), and audible warning technology (whistles/horns).

COMMITTEE: TRANSPORTATION

POLICY: AUTONOMOUS VEHICLES

TYPE: CONSENT RESOLUTION

WHEREAS, the automobile is undergoing a technological evolution with the potential to revolutionize personal mobility, transform commercial trucking and provide immeasurable safety benefits. As vehicles that operate on public roads are subject to state, federal and local jurisdiction, the need to clearly define state and federal roles is paramount.

WHEREAS, NCSL agrees that the National Highway Traffic Safety Administration (NHTSA) should be the sole entity setting federal motor vehicle safety standards (FMVSS) for autonomous vehicles, equivalent to their current role for conventional vehicles.

WHEREAS, NCSL strongly believes that states have clearly defined authorities when it comes to vehicle use—which include vehicle registration; driver licensing and education; traffic laws, regulations and enforcement; and insurance and liability.

WHEREAS, NCSL recognizes, appreciates and agrees that authority to issue exemptions of FMVSS remains solely in the realm of the Secretary of Transportation.

WHEREAS, NCSL recognizes that states and the federal government have a vital interest in increasing road safety for all road users and have a shared interest in reducing traffic crashes and fatalities, particularly to vulnerable road users such as pedestrians, public transit and motorcoach riders, minors attending school, workers in active construction zones, and those engaged in hazardous materials transportation.

WHEREAS, Cybersecurity is a vital aspect of autonomous vehicles and as vehicles begin to communicate with each other (vehicle-to-vehicle or V2V), as well as with infrastructure (vehicle-to-infrastructure, V2I, and V2X), the potential risk of cyberattacks and security breaches increases greatly.

WHEREAS, approximately 20% of Americans do not have a driver's license or access to a vehicle and many Americans with disabilities could benefit from autonomous vehicles with appropriate accessibility features to increase mobility options.

NOW, THEREFORE, BE IT RESOLVED, NCSL urges Congress and the administration to remain in constant consultation with states when devising potential regulations of autonomous vehicles and to consider the following positions when making policy determinations:

1. NCSL is opposed to congressional or administration proposals that would seek to preempt state authority by prohibiting states from prescribing certain standards or regulations related to autonomous vehicle testing or operation, including requirements related to the presence of a human operator that are more restrictive than those required by the federal government.

2. NCSL strongly encourages the Secretary of Transportation, or any applicable designated agency, to ensure that any exemption of existing motor vehicle safety standards provides a safety level at least equal to the safety level of the existing standard. As exemptions are granted, NCSL implores the department to provide such information to states in a timely manner.

3. NCSL requests that state legislators be appointed to or included in any congressional or administration task force, council or other advisory group related to the development or regulation of autonomous vehicles. NCSL encourages congressional and administration task forces to work with NCSL to help ensure the appropriate states are included.

4. NCSL urges both the administration and Congress to share any physical or cyber threat information with state governments and to work with states to ensure that such threats and affected vehicle populations do not become endemic. A collaborative effort is vital in ensuring such safety.

5. NCSL is opposed to congressional and administration proposals that would authorize the use of autonomous vehicles in public, student, motorcoach, and hazardous materials transportation without an onboard fallback driver and urges

the administration and Congress to ensure federal motor vehicle safety standards protect vulnerable road users.

6. NCSL urges Congress and the administration to preserve the traditional authority of states over the testing, deployment, operation, and use of autonomous vehicles, including authority relating to vehicle registration; licensing and oversight of operators, remote operators, and fleet operators; traffic laws and enforcement; insurance, financial responsibility, and civil liability; public safety and emergency response protocols; cybersecurity and incident reporting; accessibility and accommodations for individuals with disabilities; collection and sharing of safety and operational data; and the authority to establish reasonable operational requirements, promote efficient transportation systems, and address local transportation needs and conditions.

COMMITTEE: TRANSPORTATION

POLICY: BEYOND VISUAL LINE OF SIGHT OPERATIONS OF UNMANNED AIRCRAFT SYSTEMS

TYPE: CONSENT RESOLUTION

WHEREAS, Drones as First Responders (DFR) is a program whereby first responders' drones are pre-positioned in a service area, ready to be launched immediately in response to an emergency call for service; and

WHEREAS, once overhead, the drone live-streams the video to responding first responders and communications centers; and

WHEREAS, DFR has proven to be an efficient and effective way of providing public safety with critical information increasing situational awareness and providing de-escalation strategies keeping both first responders and the community safe; and

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges Congress to require the Federal Aviation Administration (FAA) to establish a regulatory pathway for certification or approval of Beyond Visual Line of Sight Operations (BVLOS) for Unmanned Aircraft Systems for first responders to support DFR programs around the country.

BE IT FURTHER RESOLVED, that nothing in federal law or regulation governing Beyond Visual Line of Sight Operations (BVLOS) should preempt or otherwise diminish the authority of states and local governments to establish policies governing the procurement and governmental use of unmanned aircraft systems, including standards relating to public safety, surveillance, data privacy, cybersecurity, transparency, accountability, and the protection of civil liberties.

COMMITTEE: TRANSPORTATION

POLICY: DISTRIBUTION OF FEDERAL SURFACE TRANSPORTATION FUNDING TO STATES

TYPE: CONSENT RESOLUTION

WHEREAS, states receive funding from the federal government for surface transportation projects in myriad ways, including traditional formula-based funding and directed discretionary programs that focus on certain outcomes or goals.

WHEREAS, formula-based funding allows federal monies to be distributed through a predictable and stable process, thus allowing for better project and multi-year program delivery by states wherein the most needed transportation problems and infrastructure projects are identified and prioritized by states, metropolitan planning organizations and local elected officials for funding.

WHEREAS, shifting a greater share of federal surface transportation funding to formula-based distribution and away from more discretionary project-specific awards allows states—which are more cognizant of the day-to-day needs of their residents and infrastructure—to prioritize projects in an efficient and cost-effective manner.

WHEREAS, states recognize the need for discretionary, project-specific federal funding in the case of interstate or large-scale projects, but too much focus on this type of funding restricts the ability of states to properly direct funding where it is needed most.

WHEREAS, states need as few restrictions as prudent and possible on how surface transportation formula funding can be spent within their borders to allow the quickest and best possible project outcomes for the greatest amount of people.

WHEREAS, the time, staffing and expertise required to apply for and successfully receive and disburse funds places considerable strain on state and local governments and cause significant capacity and expertise issues.

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges Congress to appropriate a greater amount of funds to formula-based funding and away from more restrictive project-based awards in the next iteration of surface transportation legislation—while maintaining necessary funding for larger bridge and multi-state projects—so that states may have a greater amount of freedom and flexibility to prioritize critical and beneficial projects.

BE IT FURTHER RESOLVED, that NCSL urges Congress, in consultation with states, to periodically review and modernize federal surface transportation formula funding to ensure that funding distributions continue to provide states with stable, predictable funding and appropriately reflect current transportation needs, system condition, safety, economic competitiveness, population and travel patterns, mobility, economic vitality, accessibility, environmental sustainability, and infrastructure resilience and other objective measures, while preserving maximum flexibility for states to determine how formula funds are invested to meet state and local priorities.

COMMITTEE: TRANSPORTATION

POLICY: FUNDING THE HIGHWAY TRUST FUND

TYPE: CONSENT RESOLUTION

WHEREAS, the Highway Trust Fund is a user-pay, user-benefit system that, since its creation via the Federal Aid Highway Act of 1956, has helped fund the nation's road construction, mass transit and other surface transportation programs via federal gas taxes.

WHEREAS, the federal gas tax was last raised in 1993 to a level of 18.4 cents per gallon of gasoline and 24.4 cents per gallon of diesel.

WHEREAS, revenues from the federal gas tax stopped growing faster than federal expenditures in 2001 due in large part to increased fuel efficiency levels and the proliferation of hybrid and electric vehicles. Since 2008, Congress has provided more than $275 billion from the general fund to cover the annual shortfall in the Highway Trust Fund according to the Congressional Budget Office.

WHEREAS, NCSL believes that a federal trust fund, financed by user fees, should be retained as the primary method of federal-aid surface transportation program funding and that such a fund must provide states a sustained, consistent and reliable source of transportation funding.

WHEREAS, the U.S. Department of Transportation established the National Motor Vehicle Per-Mile User Fee Pilot as required by Congress in the Infrastructure Investment and Jobs Act and the Federal System Funding Alternatives Advisory Board, which is tasked with leading the national pilot program, was created in December 2024.

WHEREAS, numerous additional funding sources, such as up-front fees and taxes on electric vehicle purchases, mileage-based user fees, electric and hybrid vehicle enhanced registration fees, electric vehicle charging fees and other user fees have been studied, piloted and implemented by states and are being studied to determine their viability.

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges Congress, the Department of Transportation and all other applicable agencies to continue their study of all available alternate funding sources while making necessary general fund transfers to maintain the solvency of the Highway Trust Fund.

LET IT BE IT FURTHER RESOLVED, that Congress, the Department of Transportation and all other applicable agencies should work closely with states to learn from state success stories regarding additional or alternate funding sources and to ensure the transportation funding needs of states continue to be met.

COMMITTEE: TRANSPORTATION

POLICY: PRESERVATION OF SUCCESSFUL INFRASTRUCTURE INVESTMENT AND JOBS ACT PROGRAMS

TYPE: CONSENT RESOLUTION

WHEREAS, the Infrastructure Investment and Jobs Act contained approximately $1.2 trillion in infrastructure spending, including $550 billion in new spending, and included provisions for federal highway aid, transit, highway safety, rail programs, and hazardous materials transportation.

WHEREAS, many of these programs have funded significant investments in infrastructure in all 50 states and the territories, including airport improvements, bridge repairs, mass transit projects and highway improvements, benefiting residents and visitors alike, and should be continued in future legislation.

WHEREAS, by contrast, some programs have been unsuccessful and should be dropped from inclusion in future surface transportation legislation.

WHEREAS, states are the best and most efficient judges of what programs and sections of the Infrastructure Investment and Jobs Act have and have not been successful.

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislatures urges Congress to closely consult with states and territories to identify successful projects funded through the Infrastructure Investment and Jobs Act and continue these programs in the next iteration of surface transportation reauthorization legislation.

COMMITTEE: TRANSPORTATION

POLICY: REFORMING PERMIT PROCESSES AND RIGHT-SIZING PROJECT REQUIREMENTS

TYPE: CONSENT RESOLUTION

WHEREAS, according to a 2020 White House study, the average federal National Environmental Policy Act (NEPA) permitting process takes between 3.5 and 6 years to complete.

WHEREAS, the nation's infrastructure received a C in the 2025 American Society of Civil Engineers' American Infrastructure Report Card, underscoring the continued need for investment in America's roads, bridges and more.

WHEREAS, that same report noted that "39% of major roads in the U.S. are in poor or mediocre condition," "51% of Americans report inadequate bus, subway, or commuter bus service," and almost 56% of the nation's bridges are in "fair" or "poor" condition.

WHEREAS, multiple Congresses and presidential administrations, as well as state and local governments and private sector partners have noted the need to reform the permitting process for large-scale infrastructure projects.

WHEREAS, contrasting federal, state and local regulations and requirements, along with unclear lines of communication between and among state and federal entities can complicate and extend processes and timelines for applying for, permitting and completing infrastructure projects.

WHEREAS, smaller, city, county and state transportation departments or offices can often lack sufficient staffing, expertise, capacity or resources to handle the complex and expensive project application and documentation requirements imposed by the federal government for every project that received federal funds.

NOW, THEREFORE, BE IT RESOLVED, that NCSL urges Congress and the administration to, in direct consultation with states, expedite the reform and streamlining of the nation's federal infrastructure permitting processes and work with states to ensure project application and documentation costs and requirements do not exceed the capacity and expertise of state or local offices being solicited.

COMMITTEE: TRANSPORTATION

POLICY: SECURING NATIONAL SUPPLY CHAINS THROUGH THE COMBATING ORGANIZED RETAIL CRIME ACT

TYPE: CONSENT RESOLUTION

WHEREAS, organized retail and supply chain crime has escalated in both scale and sophistication, threatening the integrity of the national supply chain by targeting freight systems, including rail, leading to costly delays and heightened safety concerns; and

WHEREAS, the *Combating Organized Retail Crime Act* (CORCA) is a bipartisan effort in Congress seeking to strengthen the federal response to organized cargo theft through improved coordination, data-sharing, and enforcement; and

WHEREAS, a healthy and resilient logistics network, powered by freight rail, is vital to U.S. economic competitiveness, job growth, industrial productivity, and ensuring affordable goods for consumers; and

WHEREAS, America's extensive freight system, anchored by 600 privately owned railroads spanning nearly 140,000 miles, delivers 59 tons of goods for every American annually, underscoring the importance of affordable and efficient transportation; and

WHEREAS, freight rail is a powerful economic engine, moving 40% of U.S. long-distance freight and supporting a diverse workforce while generating activity in every sector of the economy, from small farms to large-scale manufacturing facilities, and contributing over $230 billion annually to the U.S. economy; and

WHEREAS, trains are essential to international trade and cross-border goods movement, with nearly 40% of rail traffic attributable to trade, without which supply chains would be strained and the cost of goods would rise; and

WHEREAS, freight railroads fund their own infrastructure, spending $23 billion annually on average to maintain and upgrade tracks, equipment, and safety systems, and this private investment provides public benefits like reduced traffic, emissions, and damage to taxpayer-funded highways; and

WHEREAS, railroads are a major tax contributor, paying nearly $16.7 billion in state and federal taxes in 2023—supporting essential public services such as schools, emergency services, and public infrastructure; and

WHEREAS, organized retail and supply chain crime incidents have surged nationwide, with a 93% increase since 2019 and estimated losses reaching $121.6 billion in 2023. Intermodal rail containers—carrying high-value goods like electronics, toys, and clothing—have become prime targets, with rail thefts rising 40% in 2024 alone, resulting in over 65,000 incidents and $100 million in losses; and

WHEREAS, this is not isolated or petty theft but a systemic, coordinated, effort by tech-savvy, often transnational criminal networks targeting every link in the supply chain—from rail yards and trucks to warehouses and retail centers; and

WHEREAS, the Combating Organized Retail Crime Act (CORCA) directly addresses these challenges by improving cross-agency coordination, establishing a centralized coordination center, expanding data-sharing, and strengthening legal authority across jurisdictions; and

WHEREAS, that the legislation would create an Organized Retail and Supply Chain Coordination Center to bring together federal law enforcement agencies with state and local partners as well as railroad police to counter and dismantle domestic and transnational organized theft operations; and

WHEREAS, that with strong bipartisan support and endorsement from law enforcement, the retail industry, and freight carriers, CORCA will strengthen the resilience of our state's logistics and transportation systems and protect the economic lifelines of the communities we represent; and

NOW, THEREFORE, BE IT RESOLVED, NCSL recognizes this bipartisan bill would modernize the federal response to international organized cargo and retail theft – and urges Congress to pass the Combating Organized Retail Crime Act (CORCA), H.R. 2853 and S.1404.

COMMITTEE: TRANSPORTATION

POLICY: WILDLIFE CROSSINGS

TYPE: CONSENT RESOLUTION

WHEREAS, each year there are estimated to be between one and two million collisions involving vehicles and large animals in the United States causing a risk to public safety;

WHEREAS, wildlife-vehicle collisions cause significant economic costs, including vehicle damage and increased insurance costs, medical costs, towing and law enforcement services, and other economic impacts; and

WHEREAS, wildlife-vehicle collisions and transportation infrastructure cause wildlife mortality and fragment habitat, disrupting movement across landscapes, reducing genetic exchange, isolating populations, and diminishing wildlife's ability to respond to changes in habitat, food availability, and climate, with particularly significant impacts on long-lived, slow-reproducing, rare, and migratory species; and

WHEREAS, safe wildlife crossings reduce wildlife-vehicle collisions and allow wildlife to move more safely across landscapes; and

NOW, THEREFORE, BE IT RESOLVED, that the National Conference of State Legislators urges the President of the United States and Member of Congress to act to provide states with funding for wildlife crossings, and

BE IT FURTHER RESOLVED, that copies of this resolution be immediately transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress.