

# Federal Priorities for NC Counties

Spring 2021 Update



**North Carolina  
Association of  
County Commissioners**

**Information provided by NCACC  
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## Who We Are

Founded in 1908, the North Carolina Association of County Commissioners (NCACC) is one of the most successful and active statewide local government associations in the nation. All 100 counties in the state are members of the NCACC and most are members of the National Association of Counties (NACo). Members of the association include commissioners, county management, and county staff.

## The Federal Priorities

Prior to each new Congress, the NCACC solicits requests for federal priorities from all 100 counties. Those recommendations are considered by the NCACC Board of Directors, which is made up of elected commissioners from around the state. The full membership approves the final priorities at NCACC's Legislative Goals Conference in January, and then presents them to the North Carolina Congressional Delegation in March during NACo's annual Legislative Conference in Washington, DC. NACo is the only national organization that represents county governments in the United States. Because North Carolina is one of the strongest state associations within NACo, North Carolina typically has four and sometimes five seats on the NACo Board of Directors.

We ask that our congressional delegation pay attention to these federal priorities identified for the 117th Congress, and work collaboratively with us, and NACo, to ensure that the interests of counties are upheld in all legislative activity by Congress. To view this document and other county advocacy resources online, visit [www.ncacc.org/federalissues](http://www.ncacc.org/federalissues).

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## 2021 (FY22) Federal Priorities for NC Counties: A Quick Guide to Our Issues

Go to [www.ncacc.org/federalissues](http://www.ncacc.org/federalissues) for more information.

**Support Funding and Legislation to Expand High-Speed Broadband Access** — Adequate digital infrastructure is essential for education, economic development, health care and social services; however, many portions of North Carolina counties do not have access to high-speed Internet. Counties urge Congress to provide digital infrastructure funding and adopt legislation that clarifies Federal Communications Commission (FCC) definitions for speed thresholds and unserved areas.

**Support Efforts to Promote Food System Resiliency to Strengthen North Carolina's Food System and Increase Access to Affordable, Healthy Food Options** — Access to food is a basic human need and a critical component to a healthy society. Food system resilience can be defined as the capacity over time of a food system to provide sufficient, quality food accessible to all, in the face of various and often unforeseen disturbances. When people are food insecure, meaning they lack access to high-quality and affordable food to sustain a healthy lifestyle, it has wide impacts on a community. NCACC's 2020-2021 presidential initiative, developed by President Ronnie Smith, Martin County Commissioner focuses on food system resiliency, with an emphasis on logistics and getting food to the people who need it.

**Support Funding for Behavioral Health Programs and Services to Address the Opioid and Substance Abuse Epidemic and Support Flexibility for Counties to Use Funds for Prevention and Recovery** — The United States is in the midst of an unprecedented opioid and substance abuse epidemic. North Carolina counties are on the front lines of this battle working with the state to develop and fund substance abuse and overdose inhibition programs, but progress is limited without consistent funding and support from Congress.

**Support Measures to Reduce the Number of People with Mental Illness in County Jails Such as Those Identified in NACo's "Stepping Up Initiative"** — In North Carolina, 17 percent of the total inmate population has a mental health diagnosis. Without appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system. Legislation and federal funding are needed to help counties develop and implement efforts to reduce the number of people with mental illness in county jails.

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**Support Robust Funding for Disaster Preparation, Assistance and Mitigation** — In 2016, Hurricane Matthew caused an estimated \$4.8 billion in damage to North Carolina. Before Matthew recovery was complete, Hurricane Florence caused at least \$17 billion in damage and took 43 lives in September 2018. One month later, Tropical Storm Michael took additional lives, caused millions more in damage, and left state and local resources strained even further. Counties in North Carolina also sustained damage from Hurricanes Dorian and Isaias, and Tropical Storm Eta. Counties throughout the state need long-term federal assistance for recovery and disaster preparedness efforts before more storms occur. Counties need flexibility when receiving and prioritizing funds, and counties need resources to get to communities in a timely manner.

**Oppose Unfunded Mandates and Changes in Eligibility for Federal Programs that Shift Costs to Counties** — Reductions in federal deficits should not be accomplished by shifting costs to counties, imposing unfunded mandates. Counties also oppose any legislative or regulatory initiatives that undermine local government decision making authority or pre-empt county programs and taxing authority.

**Support Federal Reclassification of 911 Telecommunicators as First Responders** — The Standard Occupation Classification (SOC) system is a tool used by federal agencies to classify the workforce into useful, occupational categories. Currently, the SOC system categorizes 911 dispatch as “office and administrative support occupations,” which includes secretaries, office clerks and taxi-cab dispatch. Due to the complex and often stressful nature of 911 calls, counties urge Congress to update the SOC classification to “Protective Service Occupation,” which currently includes lifeguards, firefighters, TSA baggage screeners and even playground monitors, to also include 911 telecommunicators.

**Support Funds for Health, Human and Economic Services Programs Including Temporary Assistance for Needy Families, Food and Nutrition Services and Federal Block Grants** — Counties are the first responders providing services to the public locally and, in particular, our nation’s vulnerable populations. Since many of these services are mandated by federal law and the federal government provides funding to assist states and counties in meeting local demands, this funding should be protected in upcoming budgets.

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**Support Funding Increases as Authorized by the Supporting Older Americans Act** — According to 2019 data, North Carolina ranks 9th in the number of people 65 and older. At the same time, 82 counties had more people 60 and over than under 18 years. By 2025, this number is expected to increase to 89 counties and by 2038 to 95 counties. While the Supporting Older Americans Act (SOAA) that was signed into law in 2020 reauthorizes the OAA for five years (through 2024), with increased funding levels, Congress should also meet these funding levels in annual appropriations.

**Support Additional Funding for Payment In Lieu of Taxes (PILT), Agricultural, Conservation, Workforce, Economic Development, and Infrastructure Programs that Help Counties Meet Public Needs** — Funding for programs that maintain partnerships between federal and county governments in meeting demand for public services should remain a priority for Congress. In both rural and urban areas, counties rely on federal-local partnerships to support community and economic development, and public infrastructure.

**Support Strong Regulations and Enforcement Along with Funding Assistance or Reimbursement to State and Local Governments when a Federal Agency, such as the EPA, Regulates Emerging Contaminants and other Discharges into Drinking Water Sources** — The U.S. Environmental Protection Agency (EPA) classifies certain large and complex industrial chemicals called per- and polyfluoroalkyl substances (PFAS) as “emerging contaminants” that need research so that the agency can set limits. Counties urge Congress to insist that the EPA maintains coordination with state and local governments throughout this process.

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## Support Funding and Legislation to Expand High-Speed Broadband Access

Adequate digital infrastructure is essential for education, economic development, health care and social services; however, many portions of North Carolina counties do not have access to high-speed Internet. According to the U.S. Census Bureau, 1 in 4 people do not have a broadband internet subscription in one-half of North Carolina counties. Counties urge Congress to provide digital infrastructure funding and adopt legislation that clarifies Federal Communications Commission (FCC) definitions for speed thresholds and unserved areas.

### Relevant Committee and the North Carolina Member of Congress serving on it

- House Appropriations Committee – Representative David Price
- House Energy and Commerce Committee – Representatives G.K. Butterfield and Richard Hudson
- Senate Finance Committee – Senator Richard Burr

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House Majority Whip James E. Clyburn introduced the Accessible, Affordable Internet for All Act (AAIA) on March 11, 2021. The bill authorizes \$94 billion to build high-speed infrastructure in underserved communities and ensure that internet service is affordable.

The American Rescue Plan (ARP) Act, signed into law (P.L. 117-2) by President Biden on March 11, 2021, provides almost \$7.2 billion for an Emergency Connectivity Fund for schools and libraries; another \$10 billion goes to states, territories and tribal governments to focus on broadband investment as it relates to the pandemic. Additionally, the funding provided to counties (\$65.1 billion) may be used to make investments in broadband infrastructure, among other things.

On February 26, 2021, the USDA issued a [Final Rule, request for comments](#), on its Rural eConnectivity Program which provides loans, grants and loan/grant combinations for broadband deployment in rural areas. The rule will “expand broadband services in rural areas by simplifying program requirements to make more companies eligible to participate in USDA’s [ReConnect Program](#).” Comments to the program are due on or before April 27, 2021.

The Consolidated Appropriations Act of 2021, signed into law (P.L. 116-260) on December 27, 2020 by President Trump, directed the FCC to administer a new Emergency Broadband Benefit (EBB) Program funded at \$3.2 billion to help low-income consumers access the internet especially during the COVID-19 pandemic. Participating providers will receive reimbursement for discounts provided. On February 25, 2021, the FCC formally adopted the

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[Report and Order](#) establishing the program.

In all, the Consolidated Appropriations Act of 2021 provided a total of about \$7 billion in broadband funding including the EEB program; \$285 million partly used for a pilot program for broadband around HBCU's (historically Black colleges and universities); \$250 million for the FCC's COVID-19 telehealth program (this is on top of \$200 million provided through the CARES Act); and \$65 million to implement the Broadband DATA Act.

In late October 2020, the FCC established the 5G Fund for Rural America that will provide up to \$9 billion to bring rural 5G mobile broadband service to rural areas.

Last year, the [FCC published a final rule](#) that would ensure continued and rapid deployment of broadband networks to unserved Americans through the establishment of the Rural Digital Opportunity Fund, which will commit up to \$20.4 billion over the next ten years to "close the digital divide and connect millions more rural homes and small businesses to high-speed broadband networks." In a Phase I auction, 180 bidders won \$9.2 billion over ten years to provide broadband to [5.2 million locations](#).

## Talking Points

- Expanding broadband access is the #1 legislative priority for North Carolina counties.
- As Congress considers major infrastructure investment legislation this year, counties urge the North Carolina delegation to support investments in broadband.
- Counties also urge Congress to support measures that improve accuracy in mapping broadband coverage areas.
- NC counties request that our congressional delegation continue to support annual investments and initiatives that give access to high-speed Internet connectivity at speeds greater than are currently being targeted.
- Counties support the deployment and availability of emerging technologies, such as small cell 5G, to all areas of the nation to ensure equitable economic and educational opportunities for all.
- With little competition among service providers in rural America, prices are often higher in these regions or not present at all. Additional investment in broadband availability will help shift costs and prices down.
- Counties urge Congress and federal agencies to recognize counties as partners in extending the benefits of advanced telecommunications and broadband technology to all Americans. Federal policymakers should support local decision-making and accountability and oppose any actions that would preempt or limit the zoning and siting authority of local governments.



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## Support Efforts to Promote Food System Resiliency, to Strengthen North Carolina's Food System and Increase Access to Affordable, Healthy Food Options

Access to food is a basic human need and a critical component to a healthy society. Food system resilience can be defined as the capacity over time of a food system to provide sufficient, quality food accessible to all, in the face of various and often unforeseen disturbances. When people are food insecure, meaning they lack access to high-quality and affordable food to sustain a healthy lifestyle, it has wide impacts on a community. NCACC's 2020-2021 presidential initiative, developed by President Ronnie Smith, Martin County Commissioner focuses on food system resiliency, with an emphasis on logistics and getting food to the people who need it.

### Relevant Committees and the North Carolina Members of Congress serving on them:

- House Agriculture Committee – Representatives David Rouzer and Alma Adams
- House Appropriations Committee – Representative David Price
- House Committee on Homeland Security – Representative Dan Bishop
- House Transportation and Infrastructure – Representative David Rouzer

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The American Rescue Plan (ARP) Act was signed into law (P.L. 117-2) by President Biden on March 11, 2021. The law provides about \$23 billion in food and farming provisions, including about \$4 billion to help supply chains disrupted by the COVID-19 pandemic and make them more resilient in the future; an extension of last year's 15 percent increase in SNAP benefits through September 30, 2021; and an expansion of targeted food assistance programs for women, children, homeless young adults and seniors. The ARP increases the amount of food the federal government buys directly from farmers for distribution at food banks and other nonprofits. Additionally, ARP provides debt relief for socially disadvantaged farmers and ranchers.

Senator Tillis is a lead sponsor of bipartisan federal legislation, the Farm to School Act, which would renew a program that delivers fresh, local foods to schools nationwide. The Farm to School Act addresses a key component of food insecurity and aligns with NCACC President Smith's Resilience initiative: Counties Strengthening NC's Food Ecosystem.

The House Agriculture Committee held a hearing on March 11, 2021 on food insecurity.



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## Talking Points:

- Thank legislators for passing the ARP which builds on other stimulus/coronavirus packages passed in the last Congress (the CARES Act and the Consolidated Appropriations Act of 2021).
- According to Feeding America, 1,456,200 people in North Carolina are struggling with hunger. About one in five North Carolinians struggling with hunger are children.
- Due to the COVID-19 pandemic, food banks have seen a 60 percent rise in demand compared to last year, pre-pandemic.

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## Support Funding for Behavioral Health Programs and Services to Address the Opioid and Substance Abuse Epidemic and Support Flexibility for Counties to Use Funds for Prevention and Recovery

The United States is in the midst of an unprecedented opioid and substance abuse epidemic, which has killed over 16,500 North Carolinians. Counties are on the front lines of this crisis, which has imposed an overwhelming human toll and enormous costs on county government especially within the healthcare, social services and criminal justice systems. North Carolina counties are working closely with the state to develop and fund substance abuse and overdose inhibition programs, but progress is limited without consistent funding and support from Congress. According to data from the Centers for Disease Control and Prevention's (CDC) National Center for Health Statistics (NCHS), the drug overdose epidemic worsened during the pandemic with approximately 81,230 drug overdose deaths occurring in the United States in the 12-months ending in May 2020. This is the largest number of drug overdoses for a 12-month period ever recorded.

April 30, 2021 the North Carolina Association of County Commissioners and Attorney General Josh Stein announced a historic agreement to fight the opioid epidemic. The agreement governs how North Carolina would use the proceeds of any future national settlement or bankruptcy resolution with drug distributors Cardinal, McKesson, and AmerisourceBergen and opioid manufacturers Johnson & Johnson and Purdue Pharma. The agreement will ensure potential opioid settlement funds coming into North Carolina get to people in need quickly and effectively and offers a high level of transparency into how local governments will use the funds. Additional federal investments in proven opioid related services, treatment and mitigation strategies will help counties leverage any potential national settlement funds and maximize community impact.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Appropriations Committee – Representative David Price

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The American Rescue Plan (ARP) Act, signed into law (P.L. 117-2) on March 11, 2021 by President Biden, provides \$30 million for Substance Abuse and Mental Health Services Administration (SAMHSA) to create grants to state, local, and tribal and territorial governments to support community-based overdose prevention programs.

The Consolidated Appropriations Act of 2021, signed into law (P.L. 116-260) on December 27, 2020 by

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President Trump, provides \$526.5 million in “opioid crisis” funding to the Department of Justice including \$185 million for the Comprehensive Opioid, Stimulant and Substance Abuse Program. The law also provides \$6 billion for the SAMHSA and \$7.5 billion for Help Resources & Services Administration, of which some funding will be directed towards the opioid pandemic.

NACo has been part of a yearlong collaboration with the Appalachian Regional Commission (ARC) to develop strategies for retaking communities back from addiction. The two organizations presented their report at a January 2020 event in Washington, DC.

## Talking Points

- According to the NC Opioid Action Plan, 16,500 North Carolinians lost their lives to unintentional opioid overdose between 2000 and 2019.
- The North Carolina Memorandum of Agreement between the state and local governments on proceeds relating to the national settlement of opioid litigation will help ensure any potential settlement funds coming into North Carolina get to people in need quickly and effectively.
- The agreement offers a high level of transparency into how local governments will use the funds and ensures opioid settlement dollars fund proven strategies to actively combat the opioid epidemic.
- The state is doing its part -- since the state Opioid Action Plan was launched in June 2017 and updated in June 2019 (Opioid Action Plan 2.0), opioid dispensing has decreased by 24%. Deaths involving prescription opioids declined from 659 in 2017 to 489 in 2018. While heroin-involved deaths (619) and those involving synthetic opioids (1,272) other than methadone (mainly fentanyl and fentanyl analogs) remained stable in 2018. Tragically, in 2020, the state saw a 21% increase in emergency department visits relating to opioid overdoses from the previous year, with some speculating that the COVID-19 pandemic may be responsible for the increase.
- North Carolina has received \$58M in federal funding. This is appreciated, but the battle is not over and more help is needed.
- According to data from the Centers for Disease Control and Prevention’s (CDC) National Center for Health Statistics (NCHS), the drug overdose epidemic worsened during the pandemic with approximately 81,230 drug overdose deaths occurring in the United States in the 12-months ending in May 2020.
- This is the largest number of drug overdoses for a 12-month period ever recorded.
- Continued federal investments in opioid related services, treatment and mitigation strategies are needed to combat the crisis.
- Federal resources will allow counties to leverage any potential national opioid settlement funds to maximize community impact.
- Tell Members of Congress how the epidemic is affecting your county and describe any local efforts by your county to address the crisis. Thank them for their support of increased funding and encourage them to continue that strong support.

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## Support Measures to Reduce the Number of People With Mental Illness in County Jails Such as Those Identified in NACo's "Stepping Up" Initiative

In North Carolina, 17 percent of the total inmate population has a mental health diagnosis. Without appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system. Legislation and federal funding are needed to help counties develop and implement efforts to reduce the number of people with mental illness in county jails.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Appropriations Committee – Representative David Price
- Senate Finance Committee – Senator Richard Burr

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People who are awaiting trial while in local jail custody are stripped of federal healthcare benefits (Medicare, Medicaid, veterans' benefits and the Children's Health Insurance Program for juveniles). Known as the "Medicaid inmate exclusion" this policy has been in effect for the last 50+ years. One result of the policy is an increased cost to local jails (and counties that operate them).

Two bills were introduced in the 116th Congress addressing this issue. S. 2628, the "Equity in Pretrial Medicaid Coverage Act" would protect Medicaid coverage for inmates awaiting trial. S. 2626, the "Restoring Health Benefits for Justice-Involved Individuals Act of 2019," allows an otherwise eligible individual who is in custody pending charges to receive Medicare, Children's Health Insurance Program (CHIP) or veterans' health benefits. Neither bill has been introduced, to date, in the 117th Congress.

### Talking Points

- Counties urge Congress and the Administration to advance legislation and regulations that would amend the federal Medicaid Inmate Exclusion Policy (MIEP) and allow non-convicted individuals to have continued access to necessary treatment through federal health benefits such as Medicaid, Medicare, CHIP and VA health benefits.
- Counties support policies and programs that divert non-violent individuals struggling with mental illness and/or substance use disorders from local jails into more appropriate treatment services.
- Each year an estimated two million people with serious mental illness are admitted to jail across the nation. Almost three-quarters of these adults also have drug and alcohol use problems.
- Without the appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system. Support is needed for legislation and funding to help counties develop and implement efforts to reduce the number of people with mental illnesses in county jails.

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## Support Robust Funding for Disaster Preparation, Assistance and Mitigation

In 2016, Hurricane Matthew caused an estimated \$4.8 billion in damage to North Carolina. Before Matthew recovery was complete, Hurricane Florence caused at least \$17 billion in damage and took 43 lives in September 2018. One month later, Tropical Storm Michael took additional lives, caused millions more in damage, and left state and local resources strained even further. Counties in North Carolina also sustained damage from Hurricanes Dorian and Isaias and Tropical Storm Eta. Counties throughout the state need long-term federal assistance for recovery and disaster preparedness efforts before more storms occur. Counties need flexibility when receiving and prioritizing funds, and counties need resources to get to communities in a timely manner.

### Relevant Committee and the North Carolina Member of Congress serving on it

- House Appropriations Committee – Representative David Price

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As of January 5, 2021, the North Carolina Office of Recovery and Resilience (NCORR) estimates that more than \$3.6 billion in state and federal funding has been spent on hurricane recovery for hurricanes Matthew, Florence, Dorian and Isaias.

NCORR recently requested public comment on amendments to three action plans for spending U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant – Disaster Recovery and Community Development Block Grant Mitigation Funds for areas impacted by hurricanes Matthew and Florence. The grants total \$947 million for homeowner disaster recovery, affordable housing, property buyout and more.

### Talking Points

- Ask legislators to continue to support long-term disaster relief funding for North Carolina counties.
  - NC ranks 4th highest in the nation for the most hurricanes to make landfall.
  - NC has weathered two “500-year floods” in two years and three in fewer than 20 years.
  - More than 50 of the state's 100 counties were included in a disaster declaration in response to Hurricane Florence, which made landfall in September 2018. In September 2019, Hurricane Dorian made landfall in the Outer Banks; 28 counties were designated for disaster assistance.
- Thank Senators Burr and Tillis for all their work to get disaster relief to the local level quickly.
- Counties need more flexibility when applying for, receiving, and using disaster recovery funds. Funds should also be distributed faster and in coordination with local leaders.
- Discuss any local disaster resiliency efforts or needs in your community.

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## Oppose Unfunded Mandates and Changes in Eligibility for Federal Programs That Shift Costs to Counties

Reductions in federal deficits should not be accomplished by shifting costs to counties, imposing unfunded mandates. Counties also oppose any legislative or regulatory initiatives that undermine local government decision making authority or pre-empt county programs and taxing authority.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Oversight and Government Reform Committee – Representatives Virginia Foxx
- House Judiciary Committee and House Rules Committee – Representative Deborah Ross
- House Appropriations Committee – Representative David Price
- Senate Finance Committee – Senator Richard Burr

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Representative Virginia Foxx's bill, H.R. 701, the Unfunded Mandates Accountability and Transparency Act, was re-introduced on February 2, 2021. It has been referred to the committees on Oversight and Reform, Rules, Budget and Judiciary.

### Talking Points

- Thank Representative Virginia Foxx for her leadership in introducing the Unfunded Mandates Accountability and Transparency Act, bipartisan legislation that works to improve the requirements of Unfunded Mandates Reform Act (UMRA).
- Thank Representatives Richard Hudson, Patrick McHenry and David Rouzer for supporting passage of this legislation in the past.
- North Carolina counties request passage of Representative Foxx's bill or similar legislation that works to prevent passing unfunded mandates on to counties.

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## Support Federal Reclassification of 911 Telecommunicators as First Responders

The Standard Occupation Classification (SOC) system is a tool used by federal agencies to classify the workforce into useful, occupational categories. Currently, the SOC system categorizes 911 dispatch as “office and administrative support occupations,” which includes secretaries, office clerks and taxi-cab dispatch. Due to the complex and often stressful nature of 911 calls, counties urge Congress to update the SOC classification to “Protective Service Occupation,” which currently includes lifeguards, firefighters, TSA baggage screeners and even playground monitors, to also include 911 telecommunicators.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Committee on Homeland Security – Representative Dan Bishop

*Legislation to reclassify 911 public safety dispatch would fall under the jurisdiction of the Senate Homeland Security Committee. However, without a Senator on that committee, NCACC recommends highlighting the issue with Senator Burr since he introduced legislation to accomplish this in the last Congress.*

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In the last Congress, legislation was introduced in both the House and the Senate that would reclassify the 911 dispatch as a protective service occupation. The provision was added, as an amendment, to the National Defense Authorization Act (NDAA). Then as the House and Senate worked out the differences between their respective versions of the NDAA, the provision to reclassify the occupation was dropped. Thus, new legislation will be needed once again in the 117th Congress.

### Talking Points

- Classifying 911 professionals as a ‘Protective Service Occupation’ will:
  - Capture the complex, stressful and technical nature of the work these public servants perform, particularly as governments seek to transition to Next Generation 911, which is constantly evolving due new technology
  - Provide valuable statistical tools for federal agencies and facilitate critical research into mental and physical impacts of 911 jobs, without a cost to the federal government.



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## Support Funds for Health, Human, and Economic Services Programs Including Temporary Assistance for Needy Families, Food and Nutrition Services and Federal Block Grants

Counties are the first responders providing services to the public locally and, in particular, our nation's vulnerable populations. Since many of these services are mandated by federal law and the federal government provides funding to assist states and counties in meeting local demands, this funding should be protected in upcoming budgets.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Appropriations Committee – Representative David Price (all block grants) (Chairman, Subcommittee on Transportation and Housing and Urban Development, which is responsible for CDBG funding)
- House Agriculture Committee – Representatives Alma Adams (Vice Chair) and David Rouzer (FNS)
- House Education and Labor Committee – Representatives Virginia Foxx (Ranking Member), Alma Adams, Greg Murphy, Kathy Manning and Madison Cawthorn
- Senate Finance Committee – Senator Richard Burr (TANF, SSBG)
- Senate Health, Education, Labor and Pensions Committee – Senator Richard Burr (Ranking Member) (TANF)

### I. Temporary Assistance for Needy Families (TANF)

Counties use TANF dollars to provide county child protective services and for work supports such as childcare and job training. Counties share administrative costs and may also contribute to the Maintenance of Effort requirements. Long-term reauthorization of TANF should provide greater state and county flexibility to deliver services that support families and help move them off welfare, including allowing higher education to count as work and realistic time limits on education.

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The American Rescue Plan (ARP) Act, signed into law (P.L. 117-2) by President Biden on March 11, 2021, provides \$1 billion in short-term targeted aid (cash assistance or otherwise) to families in crisis. States will receive funds based on their population's share of children and portion of prior TANF expenditures dedicated to cash assistance.

The Consolidated Appropriations Act of 2021 (P.L. 116-260) signed into law on December 27, 2020 by President Trump, extends TANF funding (\$16.5 billion) through September 30, 2021.

It is anticipated that the COVID-19 pandemic may affect states' ability to meet their work participation

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standards, however, the rules governing those standards cannot be waived other than through new legislation. HHS has said it would provide states with relief from penalties to the “maximum extent possible.”

## Talking Points

- North Carolina is one of nine states that shares TANF administration with counties.
- Congress needs to pass a long-term reauthorization of TANF, which will give Congress the opportunity to revisit and improve the program, while also eliminating the uncertainty and difficulty in planning that short-term extensions create. North Carolina counties also want Congress to protect funding for the TANF Contingency Fund.
- TANF reauthorization should provide greater state and county flexibility to deliver services that support families and help move them off welfare, including allowing higher education to count as work activities and the ability to provide partial credit to families with special needs that prevent them from always being able to meet the full participation requirements.
- Tell Members what your county does with these funds.

## II. Social Services Block Grant (SSBG)

SSBG provides funds to states for activities that serve vulnerable populations, including adults and children at risk of abuse and neglect. The State of North Carolina passes the funds directly to counties. SSBG has been funded at \$1.7 billion since 2001, but it was funded as high as \$2.8 billion from 1991 to 1995. Counties request that Congress protect the SSBG and support full funding.

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The Consolidated Appropriations Act of 2020, signed into law (P.L. 116-260) on December 27, 2020 by President Trump, provides \$1.7 billion in SSBG funding.

## Talking Points

- Tell Members what your county does with these funds and ask them to protect and preserve the program.
- Federal law mandates that child protective services and foster care be provided to neglected and abused children. SSBG funds are used to support foster care placements for children who are otherwise ineligible for the federal foster care program and support direct child support services in NC.
- SSBG is currently the only source of federal funds for adult protective services, which is frequently a county responsibility in NC.
- SSBG expenditures for substance abuse services, such as opioid addiction, increased by 125 percent from 2010 to 2014, which helped over 118,000 individuals receive substance abuse treatment or participate in prevention programs across the country.

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## III. Community Development Block Grants (CDBG)

Counties use CDBG and Housing Choice Voucher (HCV) funds for projects related to housing, community and economic development, water and infrastructure projects, and human services. The flexibility of these funds allows counties to partner with the private and non-profit sectors to address community needs.

### Spring 2021 Update

The Consolidated Appropriations Act of 2021, signed into law (P.L. 116-260) by President Trump on December 27, 2020, provides \$3.475 billion in CDBG funding for FY2021; this is \$50 million more than in FY20.

The CARES Act, signed into law in March 2020, appropriated \$5 billion for HUD's Community Development Fund, of which \$2 billion will supplement the conventional CDBG program. This funding is intended to "prevent, prepare for, and respond to coronavirus," according to a HUD fact sheet.

### Talking Points

- Thank Members of Congress for funding CDBG at an increased level for FY21; request continuation of the same in FY22. According to HUD, for every \$1 of CDBG funding, another \$4.07 is leveraged in private and/or public sector funding.
- NC counties oppose changes to the program that cause entitlement communities to lose entitlement status.

## IV. Food and Nutrition Service (FNS)

FNS Programs, including but not limited to the Supplemental Nutrition Assistance Programs (SNAP); Women, Infants and Children (WIC); and the National School Lunch Program, serve one in four Americans annually.

### Spring 2021 Update

The American Rescue Plan (ARP) Act, signed into law (P.L. 117-2) on March 11, 2021 by President Biden, extends the temporary increase in the SNAP benefit through September 30, 2021. Previously, the Consolidated Appropriations Act of 2021, signed into law (P.L. 116-260) by President Trump on December 27, 2020, raised the maximum allotments to 115 percent until June 30th. ARP also provides an extra \$1.1 billion in funds for state SNAP administration to be allocated over the next three fiscal years. SNAP's authorization will expire on September 30, 2023.

Overall, the USDA is granting states flexibilities to best serve their residents during the COVID-19 pandemic.

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These flexibilities extend to 15 nutrition programs. One example is the WIC program in which WIC agencies can now issue benefits remotely so participants don't have to pick up their benefits in person. WIC also received a \$880 million boost through the ARP; among other things, this funding will expand access to more fruits and vegetables to mothers and children.

The Pandemic Benefit Transfer (P-EBT) provides eligible school children with temporary nutrition benefits loaded on EBT cards that are used to purchase food. Additionally, the USDA announced March 9th that free meals will be offered to children through the Summer Food Service Program until September 30, 2021.

## Talking Points

- These programs are used by counties to improve diet quality among children and low-income people and to reduce food insecurity.
- Child Nutrition Reauthorization provides Congress with an opportunity every five years to improve and strengthen the WIC and school meal programs, among others. The current law, Healthy, Hunger-Free Kids Act of 2010 (P.L. 11-296), expired on September 30, 2015, but the programs continue to operate through annual appropriations. Congress should provide long-term reauthorization.
- In North Carolina, WIC serves more than 270,000 women, infants, and children each month.

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## Support Funding Increases as Authorized by the Supporting Older Americans Act

According to 2019 data, North Carolina ranks 9th in the number of people 65 and older. At the same time, 82 counties had more people 60 and over than under 18 years. By 2025, this number is expected to increase to 89 counties, and by 2038 to 95 counties. While the Supporting Older Americans Act (SOAA) that was signed into law in 2020 reauthorizes the OAA for five years (through 2024), with increased funding levels, Congress should also meet these funding levels in annual appropriations.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Education and Labor Committee – Representatives Virginia Foxx (Ranking Minority Member) Greg Murphy, Kathy Manning, Madison Cawthorn, Alma Adams
- House Appropriations Committee – Representative David Price
- Senate Health, Education, Labor and Pensions Committee – Senator Richard Burr (Ranking Minority Member)
- Senate Special Committee on Aging – Senator Richard Burr

### Spring 2021 Update

The American Rescue Plan (ARP) Act, signed into law (P.L. 117-2) by President Biden on March 11, 2021, provides \$1.4 billion in emergency Older Americans Act (OAA) funding including \$750 million in senior nutrition programs, \$460 million for home-and-community-based support services, \$45 million for disease prevention, \$10 million for the long-term care ombudsman program and \$145 million in assistance for grandparents caring for grandchildren.

The Supporting Older Americans Act (SOAA) was signed into law (P.L. 116-131) in March 2020. It reauthorizes the Older Americans Act through 2024 and increases funding levels for its programs by 7 percent in FY20 and by 6 percent from FY21 to FY24. Funding for FY22 will be part of the annual appropriations process.

### Talking Points

- In the next two decades, North Carolina's 65 and older population will grow by 61%. As soon as 2025, one in five North Carolinians will be over 65.
- An aging population means an increased need for long-term services and supports.
- Thank legislators for passing the American Rescue Plan (ARP). Congress needs to also appropriate funds at a level that meets or exceeds the authorizations provided by the SOAA.

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## Support Additional Funding for Payment In Lieu Of Taxes (PILT), Agricultural, Conservation, Workforce, Economic Development, and Infrastructure Programs That Help Counties Meet Public Needs

Funding for programs that maintain partnerships between federal and county governments in meeting demand for public services should remain a priority for Congress. In both rural and urban areas, counties rely on federal- local partnerships to support community and economic development, and public infrastructure.

### Relevant Committees and the North Carolina Members of Congress serving on them

- House Agriculture Committee – Representatives Alma Adams (Vice Chair) and David Rouzer
- House Appropriations Committee – Representative David Price

*PILT reauthorization is under the jurisdiction of the House Natural Resources and Senate Energy and Natural Resources Committees. However, without members from the state on those committees, NCACC recommends highlighting the issue with the members serving on the committees as listed above.*

### Spring 2021 Update

The Consolidated Appropriations Act of 2021, signed into law (P.L. 116-260) on December 27, 2020 by President Trump, fully funded the PILT program at \$500 million for FY 2021. The issue is certain to arise again in the coming budget discussions.

A new program, similar to PILT, but funded through Treasury instead of the Departments of Interior and Agriculture, was established under the American Rescue Plan (ARP) Act, which was signed into law (P.L. 117-2) on March 11, 2021 by President Biden. The Local Assistance and Tribal Consistency Fund will direct \$2 billion in funding to eligible county and Tribal governments with non-taxable federal lands over the next two fiscal years. Exact funding amounts to each government will be determined by a formula to be created by the Department of Treasury that will reflect the economic conditions of each eligible entity.

### Talking Points

- The PILT program provides payments to counties and other local governments to offset losses in tax revenues due to the presence of tax-exempt federal land in their jurisdictions; revenues needed to help support vital services provided by counties.
- North Carolina counties applaud Congress for fully funding PILT at \$500 million in FY21 appropriations and encourage the same in FY22. However, Congress needs to pass a mandatory, long-term, full funding reauthorization for PILT to remove the uncertainty to small counties that rely on this funding annually.
- U.S. public schools need \$46 billion a year to provide education facilities to meet modern standards (according to 2016 report). Counties also oppose any cuts to USDA Rural Development programs, particularly those that target local and regional priorities.



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## **Support Coordination With State and Local Governments When a Federal Agency, Such as EPA, Seeks to Regulate Emerging Contaminants and Other Discharges Into Drinking Water Sources**

The U.S. Environmental Protection Agency (EPA) classifies certain large and complex industrial chemicals called per-and-polyfluoroalkyl substances (PFAS) as “emerging contaminants” that need research so that the agency can set limits. Counties urge Congress to insist that the EPA maintains coordination with state and local governments throughout this process.

### **Relevant Committees and the North Carolina Members of Congress serving on them**

- House Transportation and Infrastructure Subcommittee on Water Resources and the Environment – Representative David Rouzer (Ranking Member)
- Senate Armed Services Committee – Senator Thom Tillis

### **Spring 2021 Update**

Michael Regan was confirmed by the Senate to lead the Environmental Protection Agency (EPA). He is the first EPA Administrator from North Carolina and the first African American man to head the agency. Mr. Regan is known for his work to hold the Chemours Company accountable for PFAS contamination of the Cape Fear River basin.

In February 2021, EPA issued the regulatory determination for perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) in drinking water. This is part of the EPA’s PFAS Action Plan, released in 2019, that describes short- and long-term actions the agency will take with regard to PFAS chemicals in drinking water, such as clean-up, enforcement, monitoring, research and risk communications.

The regulatory determination initiates the process to develop a national primary drinking water regulation for PFAS chemicals, and includes further analyses, scientific review and opportunity for public comment. Additionally, EPA intends to fast track evaluation of additional PFAS for future drinking water regulatory determinations if warranted by scientific findings.

Also in February of this year, EPA proposed to collect new PFAS data under the fifth Unregulated Contaminant Monitoring Rule (UCMR 5). The new data will be used to better understand the frequency and levels that the 29 PFAS are found in the nation’s drinking water systems.



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Then in March 2021, EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) to request public input regarding the agency's ongoing evaluation of PFOA and PFOS. This information will help the agency consider whether additional regulatory steps to address PFAS contamination in the environment are necessary.

Thus far, there has been one bill introduced in this Congress regarding PFAS. The Protecting Firefighters from Adverse Substances Act (S.231) directs the Federal Emergency Management Agency (FEMA) to develop guidance for firefighters and other emergency personnel on best practices to protect them from PFAS exposure and to limit and prevent the release of PFAS into the environment. Introduced by Senator Gary Peters (D-MI), the bill has six additional cosponsors, including North Carolina Senator Thom Tillis. The bill has been referred to the Senate Committee on Homeland Security and Government Affairs. With well over 50 bills proposed to address various PFAS concerns in the previous Congress, it is likely more legislation will be introduced on the issue of PFAS.

## Talking Points

- These chemicals do not break down easily and are not easily removed from drinking water.
- Explain the impact PFAS is having on your county.
  - For example, emerging contaminants have been found in the Cape Fear River, which serves as the primary source of drinking water for Bladen, Brunswick, New Hanover, and Pender counties.
- Urge coordination between EPA and state and local governments on contamination issues.
- Without federal standards, states have had to create their own drinking water regulations, resulting in conflicting guidelines and standards.