

# **NACo NATIONAL MEMBERSHIP CALL**

**STATE, LOCAL, TRIBAL AND  
TERRITORIAL FISCAL RECOVERY,  
INFRASTRUCTURE AND DISASTER  
RELIEF FLEXIBILITY ACT  
OCTOBER 25, 2021**



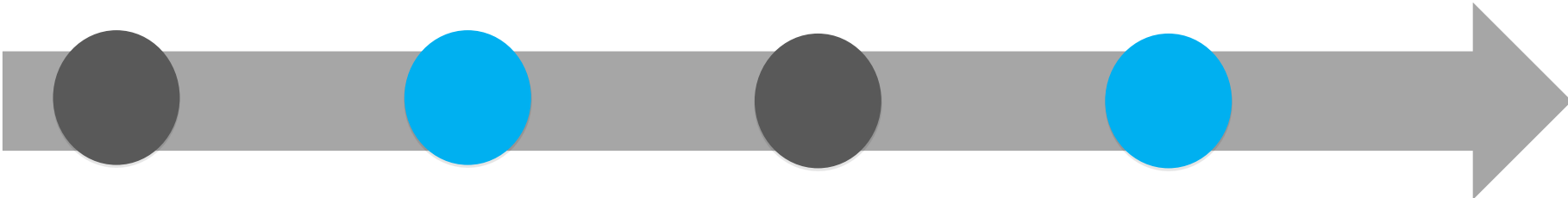
# THIS WEEK IN WASHINGTON, D.C.

**OCTOBER 27**

**OCTOBER 27**

**OCTOBER 28**

**OCTOBER 29**



Vote on  
Infrastructure  
Investments  
and Jobs Act

Build Back Better  
text release

Infrastructure  
Investments and  
Jobs Act signed  
into law

Build Back Better  
vote on Friday

## **S. 3011 AT A GLANCE**

**Legislation would significantly expand eligible uses of Recovery Funds by doing the following:**

1. Allow counties to use ARPA Recovery Funds transportation and infrastructure projects
2. Allow counties to use ARPA Recovery Funds for government services
3. Allow counties to use ARPA Recovery Funds for program authorized under CDBG
4. Allow counties to use ARPA Recovery Funds for natural disaster response
5. Clarifies implementation of Local Assistance and Tribal Consistency Fund

## **S. 3011 AT A GLANCE**

**For America's counties, enactment of S. 3011 would mean over...**

**\$27 billion**

**in new infrastructure flexibility for  
county ARPA Recovery Funds**

**\$17 billion**

**in flexibility to carry out U.S. Treasury-defined  
“government services”**

## S. 3011 AT A GLANCE

**The bill would allow counties to use the greater of \$10 million or 30 percent of their ARPA Recovery Fund allocation for a wide variety of transportation infrastructure projects, including:**

### ELIGIBLE TRANSPORTATION & INFRASTRUCTURE PROJECTS

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• National Highway Performance Program</li> <li>• Bridge Investment Program</li> <li>• Surface Transportation Block Grant Program</li> <li>• Metropolitan Transportation Planning</li> <li>• Highway Safety Improvement Program</li> <li>• Congestion Mitigation and Air Quality Improvement Program</li> <li>• Territorial and Puerto Rico Highway Program</li> <li>• National Highway Freight Program</li> <li>• Rural Surface Transportation Grant Program</li> <li>• Carbon Reduction Program</li> <li>• PROTECT Program</li> <li>• Alternative Fueling Infrastructure</li> </ul> | <ul style="list-style-type: none"> <li>• Federal Lands Transportation Program</li> <li>• Federal Lands Access Program</li> <li>• RAISE Grant Program</li> <li>• Urbanized Area Formula Grants</li> <li>• Formula Grants for Rural Areas</li> <li>• State of Good Repair Grants</li> <li>• Grants for Buses and Bus Facilities</li> <li>• National Culvert Removal, Replacement, and Restoration Program</li> <li>• Community Development Block Grant</li> <li>• Bridge Replacement, Rehabilitation, Preservation, Protection, and Construction Program</li> <li>• Tribal Transportation Program</li> </ul> |
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# S. 3011 AT A GLANCE

The legislation would also allow counties to flexibly invest Recovery Funds into projects that are eligible under the Community Development Block Grant:

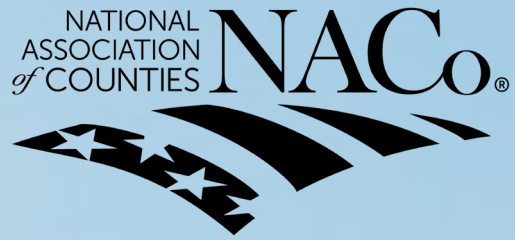
General Categories	Eligible Activities
Planning, Administrative and Technical Assistance	<ul style="list-style-type: none"> <li>comprehensive planning and related activities;</li> <li>administrative costs associated with carrying out the requirements of the program, as well as other HUD programs;</li> <li>provision of technical assistance to public or nonprofit entities;</li> <li>payment of the non-federal share of other federal grant programs;</li> <li>development and implementation of energy conservation and use strategies.</li> </ul>
Public works and public facilities	<ul style="list-style-type: none"> <li>acquisition and rehabilitation of real property that may be used for public works, open space acquisition, historic preservation, or other public purposes;</li> <li>acquisition, construction, reconstruction, or installation of public works, public facilities, neighborhood facilities, senior centers, centers for the handicapped, recreation facilities, and street lights;</li> <li>removal of architectural barriers to the elderly and handicapped.</li> </ul>

General Categories	Eligible Activities
Economic Development and Neighborhood Revitalization	<ul style="list-style-type: none"> <li>payment to for-profit entities in support of economic development;</li> <li>assistance to neighborhood-based organizations, including community development corporations, in support of economic development, housing assistance; or neighborhood revitalization activities;</li> <li>assistance, including loans and grants, to non-profit entities in acquiring real property, or acquiring or rehabilitating public facilities, site improvements, utilities, or commercial and industrial facilities and improvements;</li> <li>micro-lending;</li> <li>brownfield redevelopment;</li> <li>creation of revolving loan funds.</li> </ul>
Public Services	<ul style="list-style-type: none"> <li>public services (limited to no more than 15% of an entitlement community or state's annual allocation).</li> </ul>
Housing related activities	<ul style="list-style-type: none"> <li>rehabilitation of housing owned and occupied by low and moderate income persons;</li> <li>repair of housing units acquired through tax foreclosures;</li> <li>assistance to facilitate homeownership among low- and moderate-income persons;</li> <li>housing services, including counseling, in connection with the HOME program;</li> <li>lead-based paint abatement.</li> </ul>
Acquisition, demolition, and disposition of real property	<ul style="list-style-type: none"> <li>Acquisition of real property;</li> <li>disposal of real property;</li> <li>code enforcement in deteriorated or blighted areas;</li> <li>clearance, demolition, and rehabilitation and renovation of privately and publicly owned buildings, including closed public schools.</li> </ul>

## **S. 3011 AT A GLANCE**

**The legislation would make important clarifications to the \$2 billion Local Assistance and Tribal Consistency Fund, which provided \$1.5 billion in direct funds to public lands counties:**

1. Reduces the full amount of direct funding to counties eligible to receive an allocation under the Fund by 1 percent
2. Defines an “eligible revenue share county” qualifying for direct county aid under the Fund as the same counties as those qualifying for annual PILT payments
3. Lays out special criteria for payment distribution to towns rather than counties in those states where counties have limited governmental functions
4. Disburses funds for Alaska boroughs to the state, which will then be distributed to local governments based on the U.S. Treasury



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