



April 9, 2020

Dear Member of the New York Congressional Delegation,

First, thank you for your efforts to help the State of New York and our counties in the recently enacted federal stimulus bills. We appreciate your leadership on behalf of all New Yorkers. Now, we understand that leadership in both houses are eagerly working towards a fourth coronavirus stimulus package to continue the federal progress on addressing the COVID-19 global pandemic.

We are also aware that Governor Andrew Cuomo has sent correspondence to you requesting two critical inclusions within this legislation. The Governor is requesting an increase to enhanced FMAP assistance to 12% with an unemployment escalator. The second request is additional unrestricted state fiscal support for lost revenue, a provision that was not included as part of H.R. 748, the CARES Act.

Counties across New York State support the Governor's request and advocacy and we continue to stay united with our federal partners, including the Congressional Delegation. **We agree that the best way to help our state and counties is through an increase in federal Medicaid assistance through FMAP and additional federal aid to help the state and counties replace a portion of the tax revenues we have lost in response to stopping the spread of the virus.**

As we have stated during negotiations on H.R. 6201, it is critical to include political subdivisions to be eligible for the FMAP who are presently responsible for paying Medicaid. The following language has been approved as part of H.R. 6201, and we urge that this language remain as part of this new stimulus package. This will ensure that counties receive a share of any additional FMAP assistance.

Specifically, we need to ensure this previously adopted language is not altered in the next federal stimulus bill:

(c) REQUIREMENT FOR CERTAIN STATES.—Section 1905(cc) of the Social Security Act (42 U.S.C. 1396d(cc)) is amended by striking the period at the end of the subsection and inserting “and section 6008 of the Families First Coronavirus Response Act, except that in applying such treatments to the increases in the Federal medical assistance percentage under section 6008 of the Families First Coronavirus Response Act, the reference to ‘December 31, 2009’ shall be deemed to be a reference to ‘March 11, 2020’.”

In addition to our priority request to increase the FMAP assistance and preserve the FMAP sharing arrangement with counties, there are many additional policy priorities that counties support.

- 1) **Eliminate the Federal Emergency Management Agency (FEMA) Non-Federal Cost Share.** Increasing the federal cost share of FEMA public assistance would provide much-needed relief and additional federal assistance for state, local, tribal and territorial governments on the front lines of the pandemic. Counties encourage you to eliminate the local match requirement in any fourth package.
- 2) **Ensure Broadband and Rural Cellular Services Are Expanded.** Representative Brindisi and Stefanik have been advocates for New York counties on this issue. We are encouraged by the support of the broader delegation including Rep. Tonko, Rice and Delgado. We urge the congressional delegation to expand these services to all of our state's residents. We have reached a critical juncture with our rural cellular demands, particularly for students engaging in distance learning and healthcare professionals providing telehealth medicine during the COVID-19 pandemic.
- 3) **Support H.R. 451, "Don't Break Up the T-Band Act."** This legislation repeals section 6103 of the "Middle Class Tax Relief and Job Creation Act of 2012." That provision currently requires that public safety (police, fire, EMS, emergency management) be removed from the spectrum (called "T-band") that their radios operate on. Without such action, the Federal Communications Commission (FCC) will be forced to remove public safety communications from the T-Band spectrum (470 MHz-512 MHz). As emergency medical service (EMS) providers, fire and law enforcement personnel and other critical safety workers keep our communities safe and healthy during the crisis and in the future, it is imperative that counties using T-Band have continued access to the resources necessary to provide these life-saving services.

We appreciate your assistance and attention to this urgent matter of extraordinary importance to New York's counties and the City of New York. Thank you for your consideration of this request.

Sincerely,



Stephen J. Acquario
Executive Director

CC: Mr. Matthew D. Chase, Executive Director, NACo

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