

# **NMC LEGISLATIVE CONFERENCE:**

## *RECOVERY, RESILIENCE, & RENEWAL OF COUNTY INFRASTRUCTURE*

**NATIONAL ASSOCIATION OF COUNTIES UPDATE**



# LOCAL ASSISTANCE & TRIBAL CONSISTENCY FUND

- Provides \$1.5 billion in two equal payments for FYs 2022 and 2023 to “eligible revenue sharing counties” under ARPA – *counties can apply for the funds immediately*
- Formula is based on federal acreage, population and economic conditions
- Annual minimum payment is \$50,000 and a maximum of \$6 million per county
- Funds can be used for any governmental purpose other than lobbying activities (i.e. non-federal match or cost-share)
- Can cover costs that occurred after March 15, 2021, and there is no timeline to obligate and/or spend the funds
- 2,086 local governments are considered eligible revenue sharing counties
- Davis-Bacon does not apply to the funds
- Infrastructure projects financed by LATCF are subject to requirements under Build America, Buy America Act (BABA), but Treasury announced a waiver until March 2023



*Scan QR code with your device to  
visit the NACo LATCF Resource  
Center*

# LOCAL ASSISTANCE & TRIBAL CONSISTENCY FUND

- 292 counties remaining that have not yet claimed
  - **Sierra County, NM**
  - **De Baca County, NM**

The individual that applied for ARPA SLFRF should be the SAME PERSON to apply for LATCF

- Counties must maintain an active SAM.gov registration and obtain a Unique Entity Identification (UEI) number – *this is the biggest barrier to LATCF certification*
  - This is maintained by GSA, not Treasury Department
- Award will be distributed into two separate tranches one year apart
- Deadline to apply for LATCF is January 31, 2023 – *if a county does not apply, they will no longer be eligible to receive either tranche of funding*

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# FY 2023 OMNIBUS & CORNYN/PADILLA AMENDMENT

- The FY 2023 omnibus appropriations packeted included the bipartisan State, Local, Tribal and Territorial Fiscal Recovery, Infrastructure and Disaster Relief Flexibility Act. Key highlights of the amendment, known as Cornyn/Padilla, include:
  - Permits counties to invest the greater of \$10 million or 30 percent of their total ARPA SLFRF allocation in infrastructure-related and Community Development Block Grant projects
  - Permit counties to invest funds to provide relief from natural disasters or the negative economic impacts of natural disasters
  - Expands eligibility to receive payments from the LATCF to include consolidated city-county governments
  - Unlocks administrative funds for Treasury to continue working with counties to implement this historic investment
  - **KEY CHANGE:** SLFRF dollars used under this provision still need to be obligated by December 31, 2024, BUT now expended by September 30, 2026 – *only applies to infrastructure-related projects*

# FY 2023 OMNIBUS & CORNYN/PADILLA AMENDMENT

## Updates to the Local Assistance and Tribal Consistency Fund (LATCF)

- Makes consolidated city-county governments with federal lands within their jurisdiction eligible for LATCF payments – *no previously eligible county will be negatively impacted*
- Counties that are newly eligible for LATCF dollars are NOT required to certify by Jan. 31, 2023, deadline – *Treasury will release additional information about the timeline to open the LATCF certification portal*
- Counties that are newly eligible (post passage of omnibus appropriations package) are encouraged to certify for LATCF as soon as possible to avoid Buy America, Build America (BABA) requirements – *Treasury issued a waiver for BABA requirements until March 24, 2023*

# FY 2023 OMNIBUS & CORNYN/PADILLA AMENDMENT

## Updates to infrastructure-related and CDBG projects

- Permits counties to invest the greater of \$10 million or 30 percent of their total ARPA SLFRF allocation in infrastructure-related and Community Development Block Grant projects
- If a county previously claimed the \$10 million revenue loss standard allowance, the C/P amendment can be used IN ADDITION to that previous investment
- Funds can be used for 28 different infrastructure-related projects
  - Funds can be used as the local match for 4 programs under the Bipartisan Infrastructure Law

If a county previously claimed the \$10 million revenue loss standard allowance, the C/P amendment can be used IN ADDITION to that previous investment

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Eryn Hurley  
Director of Government Affairs  
[ehurley@naco.org](mailto:ehurley@naco.org) | 571262.9015

