



Nevada Association of Counties
304 South Minnesota Street
Carson City, NV 89703
(775) 883-7863

www.nvnaco.org

Nevada Association of Counties (NACO) Federal Priorities

COVID – 19 & Public Health

Nevada's counties have been on the front lines of the COVID-19 response, helping to stand up contact tracing, COVID-19 testing programs and vaccination distribution. Counties have also supported youth who are not physically in school, continued or expanded senior nutrition programs and distributed rental assistance and federal financial assistance to small businesses. In addition to their COVID response efforts, counties continue to provide the local social safety net and the many county services that Nevadans depend on, all while revenues suffer the impacts of the economic slowdown.

Additional Support for Public Health: While unprecedented federal funding and aid to respond to COVID has been delivered to states and counties, the COVID-19 pandemic has highlighted the need for additional long-term support for our country's public health system. In Nevada public health is provided through a partnership between health districts, counties and the State. As Nevada began responding to the COVID-19 pandemic last year, we saw that the lack of sustained resources for health districts, emergency responders and county hospitals complicated those efforts. In partnership with the State, Nevada's counties would like to work with the federal delegation to support increased funding for public health so that we can be better prepared for any future public health crisis.

Direct Assistance to Counties for COVID Response: NACO thanks the Nevada Congressional delegation for supporting CARES ACT funding, a vital first step in getting relief to our counties, as well as the delegation's support for additional COVID-19 relief. NACO urges your continued support of the additional *direct* financial support to counties that is working its way through Congress now and can be used to address lost revenue and supplement eligible personnel and administrative costs as a result of COVID-19.



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Health & Human Services

Protect the Federal-State-Local Partnership for Medicaid: NACO supports maintaining the federal-state-local structure for financing and delivering Medicaid services while maximizing or enhancing flexibility to support local systems of care. Counties have made the most of Medicaid's flexibility and have supported health systems that serve a disproportionate share of low-income populations, including the homeless, and those cycling in and out of county jails. Nevada counties are opposed to any measures that would further shift Medicaid costs to counties. In Nevada, counties already provide an important part of Nevada's non-federal Medicaid contribution, and as Nevada's Medicaid caseloads continue to grow, counties are concerned about any proposal that increases State or local responsibility for Medicaid funding. If Medicaid costs or costs for uncompensated care for indigent individuals were increased, counties in Nevada, who have limited ability to raise revenues, would be hard-pressed to meet new fiscal responsibilities. Medicaid funding also impacts county hospitals - without sustained funding, some county hospitals may be forced to shutter their doors. Counties do support efforts to improve the efficiency, flexibility and effectiveness of policies and operations. In the CARES Act there was an increase to the Federal Medicaid Assistance Percentage (FMAP) of 6%, which ended on December 31, 2020. NACO urges congress to provide further increases to the FMAP so that local governments can effectively mitigate the surplus of low income or indigent residents and continue to diagnose and treat all residents facing the virus. Additionally, we continue to encourage Congress and the new Administration to suspend all changes to Medicaid financing to avoid destabilizing our county public health systems at a time when our resources are already heavily strained.



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Justice and Public Safety

Medicaid Inmate Exclusion Policy (MIEP): NACO supports a federal solution to the policy that upon detention (*not conviction*) inmates are no longer eligible for Medicaid, Child Health Insurance Program (CHIP) or veterans' health benefits. NACO supports an update to this policy as counties address behavioral health and basic medical care in our jails. The current federal policy denies federal health benefits to individuals who are pending disposition, and still presumed innocent under the U.S. Constitution. In March of 2019, the National Association of Counties, along with the National Sheriffs Association, convened a taskforce to look at impacts on recidivism and healthcare for our jailed population due to the MIEP. In 2020, that taskforce issued a detailed [report](#), which includes recommendations on removing the MIEP. The report, provides information on steps federal, state, and local policymakers can address on inmate healthcare, addressing bail and various other criminal justice reforms. NACO urges Congress to remove the provision in the Social Security Act and make a differentiation between an incarcerated individual prior to conviction.

Mental Health and Jails: County jails are not the appropriate place to treat individuals with mental illness, unfortunately, 64% of jail inmates in the United States have a behavioral health issue. In Nevada, our county jails are the largest provider of behavioral health services in the State. NACO supports sensible measures that promote and advance the overall safety of the public and the communities we serve. Within this context, we also support new policies and approaches that would enhance the ability of counties to prevent and treat mental illness and substance use disorders, both in the community and within the context of the criminal justice system. NACO also supports programs and legislation that divert non-violent individuals struggling with mental illness and/or substance use disorders from jails and into treatment programs while protecting overall public safety. Two critical federal programs that counties rely on to provide services to our incarcerated populations and reduce recidivism are the Justice and Mental Health Collaboration Program (JMHCPC) and the Second Chance Act.



Public Lands & Natural Resources

Public Land Management: As Nevada's Congressional Delegation is aware, Nevada has the largest percentage of federal lands (87%) of any state in the contiguous 48. Some of our counties (Nye, Esmeralda, Lander, Lincoln, and White Pine) have 90 to 98 percent of their acreage administered by the federal government. As a result, Nevada's counties find their local economies, fiscal condition, and quality of life are greatly influenced by federal land management decisions. For example, in many Nevada communities, resource-based industries that are tied to public lands are their lifeblood and public access for recreation is also a high priority. Because of this, it is important to recognize the impacts of public land use on local economies and ways of life, as well as on demand for county services. For all Nevada counties, staying apprised of and involved in federal land management planning and conservation efforts is critical. Counties provide road maintenance, emergency response, law enforcement and other mandated services on public lands and to public lands users. Counties also manage assets that require federal permits, leases, or easements. NACO supports the following: efforts to increase federal land managers' engagement with county governments; appropriate federal revenue sharing to support county services; and the transfer of select federal land to states or counties when feasible and where appropriate, based on consultation with or direct recommendation of the affected county.

Consultation on Rulemakings: Where needed, NACO will request cooperating agency status on federal rulemakings that effect all or a majority of Nevada's counties. Even where NACO is not a cooperating agency, consultation and coordination with counties is crucial. Whether it is a species listing, or a monument designation, counties take federal mandates to consult very seriously. We supported revisions aimed at expediting the NEPA process. These new regulations should not result in less consideration of county input, as agencies should consider existing studies now available for use under NEPA's new regulations. New regulations under the ESA should result in more robust coordination between agencies and counties when designating habitat, and creating conservation plans under the new 4(d) rule.

Continued Full Funding of PILT (Payment in Lieu of Taxes): NACO thanks the Nevada delegation for their support of full funding of PILT in the 2020 omnibus spending bill. The PILT program provides payments to counties to offset losses in tax revenues due to the presence of substantial federal land acreage within their jurisdictions. Because local governments are unable to collect property taxes on federal lands, Nevada's rural counties increasingly relying on PILT to balance their budgets and provide essential services, including those provided on public lands and to public lands users. NACO appreciates the delegations' continued support for full funding for PILT and SRS, as well as support for proposals like [Senate Bill 2108](#) which modifies the PILT funding formula for small counties (with populations between 1,000 and 4,000) to meet their unique needs.



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Military Withdrawals: The National Defense Authorization Act (NDAA) was passed by Congress in December of 2020. As you are aware, the NDAA kept a “status quo” land withdrawal and did not include any expansion of the disposal boundary for either the Air Force’s Nellis Test and Training Range, or the Navy’s Fallon Range and Training Complex. Regarding Fallon, we appreciate the engagement and support from our Congressional Delegation on the withdrawal proposal. NACO looks forward to our continued partnership with the delegation to address county issues on the Navy’s proposal to expand the boundaries. NACO would like to thank the Nevada delegation for their efforts on the NDAA. If the Department of Defense reintroduces their land withdrawals, counties believe there will be significant impacts from the proposed Fallon withdrawals on county infrastructure and local communities – as you are aware, counties have provided extensive comments outlining our concerns. It also remains a significant concern to counties that the Fallon EIS does not include a mitigation funding plan for any of the impacts of the Navy’s proposed expansion.

Wild Horses and Burros: Nevada has by far the largest population of wild horses and burros on public lands of any State. Wild horses and burros (WHB’s) have long been an icon of the landscape and heritage of Nevada. The Free-Roaming Wild Horses and Burros Act of 1971 requires the Bureau of Land Management (BLM) to maintain populations at an agency-determined appropriate management level (AML). Wild horse and burro populations have far exceeded AMLs for some time. For example, in 2019, the BLM estimated the wild horse and burro population currently on Nevada’s rangelands as 47,468, yet the AML for Nevada is only 12,811. Overpopulation has created serious environmental concerns for wildlife, the ecology of Nevada’s rangelands, and for the horses themselves. Wild horses suffer death from starvation or dehydration from resource scarcity. The \$21 million appropriated for WHB in the 2020 omnibus spending bill provides critical funding for this ever more urgent issue. NACO supports the ["The Path Forward"](#) proposal, which outlines a strategy of adoption, relocation, and fertility control that is both humane and promotes ecological balance on Nevada’s rangelands. NACO urges the Bureau of Land Management to follow the recommendations contained in their [2020 Report to Congress](#). The recommendations therein reflect those in the Path Forward and BLM’s recognition of the urgency of WHB management.

Sage-Grouse: Stakeholders across Nevada have engaged in significant collaborative conservation efforts and species management planning regarding sage grouse. NACO has been a cooperating agency in both the Departments of Interior’s and Agriculture’s creation of Greater Sage-grouse Land Use Plan Amendments. NACO also provided comments and guidance to the Department of Interior regarding its Bi-State Sage-grouse Endangered Species Act listing decision. NACO believes the 2019 plans contain more accurate data and provide the flexibility necessary to accommodate the planning needs of the State of Nevada and Nevada’s counties. Litigation concerning the Bi-State and Greater Sage-grouse means the ESA listing status is uncertain; however, new regulations under the ESA allow more flexible management and greater engagement with counties even when a listing is necessary.



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Telecommunications

Boosting Broadband and Emerging Technologies: NACO supports the deployment and availability of emerging technologies, such as small cell 5G, to all areas of Nevada, to ensure equitable economic opportunities, educational opportunities, and emergency preparedness. County officials must also fulfill their responsibilities as trustees of public property and as protectors of public safety and health during this deployment process. By preserving local authority, county governments can ensure that the public interest is being served by communications providers regardless of the delivery platform. Federal policymakers should also support local decision-making and accountability and oppose any actions that would preempt or limit the zoning and siting authority of local governments.

NACO thanks the Nevada delegation for their support of S. 1822, *Broadband Deployment Accuracy and Technological Availability Act or the Broadband DATA Act*, which requires accurate and up-to-date mapping of broadband availability as well as a process for ensuring the accuracy of that mapping. NACO has been a longtime supporter in calling for accurate broadband connectivity data which is essential to buildout critical broadband infrastructure in areas lacking access to high-speed internet. As companies continue to look to business-friendly states such as Nevada and as our counties continue to look to diversify their economies, it is essential that Nevada's counties have the connectivity such businesses need. The COVID-19 pandemic demonstrated the connectivity issues facing both rural and urban counties as well as some of the cost saving measures properly connected counties can enjoy. NACO also urges Congress and federal agencies to recognize counties as partners in extending the benefits of advanced telecommunications and broadband technology to all Americans.

Cybersecurity: Counties continue to face increasing risk of cyber threats from multiple sources every day and must ensure that citizens' personal information and critical infrastructure are adequately protected, recoverable and secured in the event of any potential breach. As Congress continues addressing threats to cybersecurity at all levels of government, NACO supports ensuring that the needs of counties and local government are considered.



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County Financing and Funding

Optimizing Intergovernmental Partnerships and Federalism: NACO is pleased with our partnership with our federal delegation and look to continued coordination on policies that benefit and impact Nevada's. NACO opposes unfunded mandates and federal initiatives that fail to protect county revenue. We support efforts that recognize and respect the unique roles and responsibilities of counties as essential partners in our nation's intergovernmental system of federal, state, local and tribal officials. County governments are tasked with implementing both state and federal policies as well as regulations at the local level and should be included in all stages of the governing process. NACO urges Congress to support measures that increase transparency, reduce regulatory burden, foster intergovernmental dialogue, and unite all levels of government in supporting our unparalleled system of federalism.

Support Funding for the Community Development Block Grant (CDBG) Program: NACO strongly supports the Community Development Block Grant (CDBG) program established in the Housing and Community Development Act of 1974. The CDBG program provides increased opportunities for elected county officials to plan, implement, and evaluate local community development and housing assistance programs. For the potential of the CDBG program to be fully realized, it must be fully funded and properly administered. NACO is thankful for the increased appropriations, recently passed, for the CDBG program, as well as for the HOME Investment Partnership (HOME) Program, which is an important component in providing affordable housing in Nevada's communities.



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Transportation

Long-term Transportation Funding and Financing: NACO is pleased to see continued interest by the incoming Administration to address transportation and infrastructure funding. Nevada's Counties support efforts by the administration and Congress to increase our nation's infrastructure investments to help promote economic development, public safety, and overall mobility. In Nevada, counties maintain over 75% of the roads in the State. Counties should be recognized as major owners of transportation infrastructure in any comprehensive package presented by the administration and Congress, including future surface transportation reauthorization legislation. Any federal infrastructure package should reflect county priorities, such as: allocating more federal seed capital and matching funds for locally owned infrastructure, increasing local decision-making authority and flexibility, and streamlining and shortening the federal permitting process while still requiring robust public participation and world-class environmental stewardship. Additionally, the long-term solvency of the Highway Trust Fund is critical as is the Federal Lands Access Program (FLAP) funding. Finally, NACO also supports continued funding of the I-11 project, including the expansion into Northern Nevada.

Election Integrity & Funding

Administering our Nation's Elections: NACO supports federal policies that provide flexibility for local decision making and increased federal investments in the nation's elections system. Election integrity and safety is critical to a strong democracy. As administrators and financers of our elections, in 2020 counties worked to navigate a very different type of election -- from COVID-19 impacts, to mail in balloting, county election officials worked to ensure the election was both fair and secure. Therefore, NACO continues to support a consistent, predictable, and dedicated federal funding stream to assist counties with meeting the significant federal requirements already imposed on local governments administering elections. We also support efforts by Congress and the Administration to combat cybersecurity threats in a way that is inclusive of county election and technology officials. As Congress considers additional changes to our elections systems, NACO urges federal lawmakers to protect local control over election administration and oppose mandates and specific requirements regarding equipment, procedures, and personnel responsibilities.