



# County Auditors' Association of Ohio

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The Honorable Janet Yellen  
Secretary  
US Department of Treasury  
1500 Pennsylvania Avenue NW  
Washington, DC 20220

Dear Secretary Yellen:

On behalf of the County Auditors' Association of Ohio and the 88 counties we represent, encompassing the 1,308 townships of Ohio, we write this letter in support of including townships in the definition of "non-entitlement units of local government" in the American Rescue Plan Act of 2021.

The County Auditors' Association of Ohio has been an active supporter of state and local aid in Covid-19 relief legislation. This Act provides crucial aid for state and local governments to help mitigate the devastating fiscal impacts of the Covid-19 emergency.

Unfortunately, the final version of the Act excludes all townships in the State of Ohio from receiving local aid. It appears the definition of "non-entitlement units of local government" has changed between the House-passed version and the Act.

The House version of the bill included the following definition for "non-entitlement unit of local government":

**(3) NONENTITLEMENT UNIT OF LOCAL GOVERNMENT-** The term 'non-entitlement unit of local government' means a unit of general local government, other than a county, that is located in a non-entitlement area (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) of a State (as that term is defined in such section 102).

The definition in both Section 102 and §5302 defines "unit of general local government" to include "any city, county, town, township, parish, village, or other general-purpose subdivision of a State." Thus, this definition would include townships in the original House version of the COVID-19 relief bill.

The enacted version of the bill defines "non-entitlement unit of local government" as:

**(5) NONENTITLEMENT UNIT OF LOCAL GOVERNMENT-** The term 'non-entitlement unit of local government' means a 'city', as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C.5302(a)(5)), that is not a metropolitan city.

Here, the 42 U.S.C. § 5302(a)(5) definition is:

(5) The term "city" means (A) any unit of general local government which is classified as a municipality by the United States Bureau of the Census or (8) any other unit of general local government which is a town or township and which, in the determination of the Secretary, (i) possesses powers and performs functions comparable to these associated with municipalities, (ii) is closely settled, and (iii) contains within its boundaries no incorporated places as defined by the United States Bureau of the Census which have not entered into cooperation agreements with such town or township to undertake or to assist in the undertaking of essential community development and housing assistance activities.

Under the definition used in the enacted version of the bill, it is unclear whether a township would fall into the definition of a "city". Additionally, even if a township falls into this definition, it requires an official determination of such by the Secretary of Housing and Urban Development.

It is clear that the intent of the Act is to provide **direct aid to every unit of local government**. The definition of "non-entitlement units of local government" in the enacted law does not only exclude townships in the State of Ohio, but also in Illinois, Indiana, Kansas, Missouri, Nebraska, North Dakota, and South Dakota.

We hope you will consider this as the Treasury Department makes final allocations of direct local aid. Townships in Ohio are struggling and are poised to use this federal assistance to stimulate our economies and help our country recover from this historic pandemic.

Thank you for your time.

Sincerely,



Thomas P. Pappas, Esq.  
Executive Director