



# STEFAN I. MYCHAJLIW

## ERIE COUNTY COMPTROLLER

May 19, 2021

The Honorable  
Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

**Re: Receipt of COVID-19 funds, American Rescue Plan Act 2021**

Dear Honorable Members,

On May 17, 2021, our office received \$89,223,547 from the United States Treasury as the first installment allocated to us under the American Rescue Plan Act, 2021. The National Association of Counties ("NACo") along with the U.S. Treasury have issued Guidelines and Interpretation of guidelines. The latest by NACo on May 10, 2021 broke down the categories that the funds may be spent on.

The acceptable uses of these funds fall under four broad categories:

1. Support the Public Health Response
2. Address negative economic impacts
3. Replace Public Sector revenue loss
4. Broadband, Water and Sewer Infrastructure

The details and rules are very complex and must be adhered to. Otherwise, the County may fall into the same quagmire it faced with the October snowstorm federal program. In February of 2013, the federal government demanded Erie County government repay \$48 million in FEMA funds "spent" on the October Surprise Snowstorm of 2006. A federal audit claimed the funds were owed due to lack of accountability on how that aid was spent. We do not want to repeat the mistakes of the past: please use your oversight authority, the same way I will, to ensure these tax dollars are spent appropriately.

This may be a wise opportunity to reexamine the broad, wide ranging emergency powers the Legislature has granted the Erie County Executive when the pandemic was just starting.

If you have any questions or concerns, please do not hesitate to reach out to the Comptroller's Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Gach", is written over a faint circular stamp.

Gregory G. Gach  
Deputy Comptroller  
Office of Erie County Comptroller