



May 22, 2020

STATE OF TEXAS

The Honorable Glen Whitley  
Tarrant County Judge

The Honorable Sam Biscoe  
Travis County Judge

The Honorable Mark Keough  
Montgomery County Judge

The Honorable Lina Hidalgo  
Harris County Judge

The Honorable Richard Cortez  
Hidalgo County Judge

The Honorable Clay Jenkins  
Dallas County Judge

The Honorable KP George  
Fort Bend County Judge

The Honorable Nelson Wolff  
Bexar County Judge

The Honorable Andy Eads  
Denton County Judge

The Honorable Ricardo Samaniego  
El Paso County Judge

The Honorable Bill Gravell Jr.  
Williamson County Judge

Dear Judge Whitley, Biscoe, Keough, Hidalgo, Cortez, Jenkins, George, Wolff, Eads, Samaniego and Gravell:

We would like to address your May 13 letter regarding the allocation of CARES Act funding to cities and counties. We appreciate the work you are doing as we fight this pandemic and we are very proud that, working together, we have mitigated the spread of COVID-19. The state's positivity rate is continuing to trend downward and we have kept Texas' COVID-19 fatality rate among the lowest per-capita in the nation. Our hospitalization rate continues to be low and our statewide hospital capacity remains robust. The State of Texas has taken the lead in mobilizing state resources and leveraging federal resources to ensure we have what we need to continue to fight this disease and support the economic rebuilding that must be done now.

We have been involved daily with you from the beginning, as well as with your local public health authorities and other officials, to make sure every community has the tools to continue to respond to the outbreak.

In addition to dozens of executive orders to mitigate the spread of COVID-19 and expand access to health care, the State has also removed roadblocks to help Texans during the emergency, including waiving dozens of state regulations. We established a Personal Protective Equipment (PPE) supply chain that immediately addressed shortages in communities around the state and currently is distributing about a million masks per day. We deployed the Texas National Guard to bolster our testing operations, and are now conducting over 25,000 tests a day. We have also coordinated both state and federal resources to shore up the food supply chain and get much needed food to food banks.

Most recently, as we enter Phase II of reopening Texas this week, we have dispatched surge teams to nursing homes, meat packing plants, and prisons in cities and counties around the state to increase testing to 100 percent. The State will continue to move forward with the plan to address this emergency, working on behalf of every Texan.

In terms of the CARES Act Coronavirus Relief Fund, it was meant to provide resources for BOTH state and local responses – not local expenses alone, as your letter implies. Texas has led the way in creating a framework to share those resources with local governments.

The Governor's Office and legislative leadership spent a great deal of time determining the best way to ensure that all of Texas has access to the resources needed to combat COVID-19 in their areas. Texas' total state and local allocation was based upon population. Similarly, the direct payments to your counties were based on population.

It was the clear intent of Congress that counties were given \$175 per capita for all of their citizens and not just those in unincorporated areas. It is our expectation, and we feel certain it is the expectation of county residents who live in cities within your county, that they be treated equally as citizens in the unincorporated areas of the county.

Of the over \$5 billion Texas has designated for local governments from the CARES Act, \$3.2 billion, or roughly 64 percent, of those funds were given directly to the twelve largest counties and the six largest cities in Texas – a methodology arrived at by Congress and the U.S. Treasury. As you know, the population of the twelve largest counties – including your smaller –cities – was in fact included in the methodology to arrive at your county allocation. It is unreasonable to demand additional dollars be allocated locally at this time. It is our expectation that you will work with the smaller municipalities within your jurisdiction to allocate money for them in a fair and equitable manner. We are encouraged to see that many of you have already taken this step.

We have taken the first step by making an initial \$55 per capita available to the other counties and cities. We trust in your ability to partner with your local constituencies to meet the needs of all of your citizens in your smaller cities and in the county.

This pandemic is bigger than any one of us. An effective response and recovery will take all Texans working together. We look forward to continued partnership.

Sincerely,



Greg Abbott  
Governor



Dan Patrick  
Lieutenant Governor



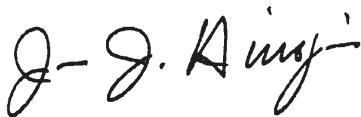
Dennis Bonnen  
Speaker of the House



Senator Jane Nelson  
Chair, Senate Finance Committee



Representative Giovanni Capriglione  
Chair, House Appropriations Committee



Senator Juan Chuy Hinojosa  
Vice-Chair, Senate Finance Committee



Representative Oscar Longoria  
Vice-Chair, House Appropriations Committee