

RECOMMENDED STRATEGIES AND PRINCIPLES FOR THE 116TH CONGRESS

Fairfax County has long maintained a strong partnership with the federal government, as the home to numerous federal agencies, employees and contractors. According to the Federal Procurement Data System, federal government contracts performed in Fairfax County reached \$24.1 billion in FY 2017 – higher than any other county or city, 46 states and the District of Columbia (DC). Twenty-six companies on *Washington Technology* magazine’s 2018 list of the 100 largest government contractors in the nation have US headquarters in Fairfax County, and 77 of the top 100 have offices in the County. With a vibrant and diverse population and economy, Fairfax County is truly the federal government’s partner, fundamentally important to the functioning of the federal government. Enhancing that critical partnership in a variety of areas is a top County priority.

FEDERAL BUDGET AND FACILITIES

Federal Funding and Sequestration

Support a balanced approach to federal deficit reduction solutions and a proactive approach to repositioning the County in anticipation of possible long-term reductions in federal funding.

Fairfax County recognizes that the federal government continues to face fiscal challenges, and as a result, the possibility of reassessing, and perhaps redirecting, the allocation of federal resources continues to exist. However, the County maintains that federal assistance to state and local governments can help mitigate the ongoing effects of a lengthy national recession, while federal investments in state and local infrastructure projects could help produce private sector jobs, improve the County’s competitiveness, and generate federal tax revenues. For FY 2019, five of the 12 annual appropriations bills were enacted prior to the September 30, 2018, deadline, and seven bills were included in a Continuing Resolution which expires on December 7, 2018; the future of these appropriations bills in the lame duck session is uncertain. The seven bills included in the Continuing Resolution are: Agriculture, Commerce/Justice/Science, Financial Services, Homeland Security, Interior and Environment, State/Foreign Operations, and Transportation/Housing and Urban Development. Some of these seven bills have been combined into a “minibus,” which is in conference (as of December 3, 2018) to resolve differences between the House and Senate versions.

As Congress works to finalize the federal budget, it is essential to avoid significant reductions to high-priority programs affecting the lives of Fairfax County residents. In general, the County opposes federal funding initiatives that shift costs to localities, impose unfunded mandates, or pre-empt local programs and taxing authority, particularly because revenue options for localities in Virginia are extremely limited. Though it is difficult to estimate the impacts of the 2017 federal tax cuts on individuals due to personal circumstances and financial decisions, the inclusion of a \$10,000 cap on taxpayers’ ability to deduct state and local taxes from their federally taxable income did raise concerns among state and local governments, as those revenues support a variety of services, including funding for education, public safety, transportation, infrastructure, and human services. The County supports timely federal budget decisions, in order to eliminate uncertainty that is detrimental to the Northern Virginia economy, which is closely tied to the federal government. *(Updates and reaffirms previous position.)*

Federal Agency Relocation, Consolidation and Related Activities

Support relocation of federal facilities to sites in Fairfax County with close proximity to transit and numerous transportation options, to mitigate transportation impacts while encouraging redevelopment and job growth in the County. Also, support the inclusion of sufficient funds to address the planning, infrastructure, and transportation issues raised by the federal agency relocations.

Both the Commonwealth and Fairfax County have strong connections to the federal government, which has presented tremendous economic growth opportunities, but also creates a unique vulnerability to fluctuations in federal funding, particularly as it relates to defense spending. In the FY 2016 US Department of Defense (DOD) Office of Economic Adjustment (OEA) “Defense Spending by State” report, the Commonwealth of Virginia was ranked second in total defense spending (\$42.7 billion), first as a percentage of state GDP (including \$28.2 billion in defense contract spending), and first in defense personnel spending (\$14.5 billion) – Fairfax County is vital to those placements, ranking first nationally in defense contract spending at \$9.9 billion. However, that report also notes that FY 2016 expenditures were impacted by government-wide spending caps and continuing resolutions, creating budget uncertainty for the DOD, as well as the states and communities where bases and companies that produce goods and services for the nation’s defense reside.

Fairfax County has a strong partnership with the federal government, and the County supports continuing that relationship by seeking additional federal agency relocations and consolidations, accompanied by appropriate federal funding and coordinated planning to ensure impacts are mitigated and a successful outcome is achieved. Fairfax County will continue to focus on the County’s role in the National Capital Region, its well-educated workforce, strong business climate, and connection to the functioning of the federal government, while closely monitoring potential future federal funding cuts that could affect the County and local economy.

In particular, Fairfax County supports:

- ***Relocation of the Federal Bureau of Investigation (FBI) Headquarters to Springfield, and other federal facilities to locations within Fairfax County.*** There are several pending opportunities to leverage Fairfax County’s strategic location in Northern Virginia for federal agencies considering relocations. The establishment of such workplaces increases the economic vitality of the County by encouraging business development in the surrounding area, supporting small businesses, and growing the tax base, among other benefits. The relocation of the Transportation Security Administration (TSA) to Fairfax County reaffirms the robust collaboration between the County and the federal government, underscoring the opportunities that continue to exist, and the importance of sustained advocacy for the benefits the County provides to the federal workforce. *(Updates and reaffirms previous position.)*
- ***Legislative language requiring greater coordination between a federal agency and host communities in any future federal government relocation and consolidation proposal for both new facilities and the use of existing facilities.*** Any future federal government relocations or consolidations should include a requirement that the appropriate federal agency analyze the transportation impacts of such a recommendation, both on the facility and the surrounding community, before final recommendations are made (as was done when the relocation of the FBI

was being considered). Coordination should continue following such relocations as well – for example, agencies should provide Transportation Demand Management services and strategies, including offering information on transit options, mandating that employees stationed at the facility telecommute or arrive at work before or after peak rush hour, assigning parking to carpool users, and other options. *(Reaffirms previous position.)*

- ***Funding for transportation projects essential to DOD relocation and consolidation.*** Continued collaboration between Fairfax County and its federal partners is necessary to provide transportation improvements in the areas most directly affected by the 2005 BRAC actions and ongoing operations at Fort Belvoir. *(Reaffirms previous position.)*
- ***Distribution of full funding (\$180 million) for widening US Route 1.*** The Defense Access Roads program, administered by the DOD OEA, appropriated \$180 million in federal funds to widen US Route 1 from Telegraph Road to Mount Vernon Memorial Highway, in order to improve road access and traffic flow to the Fort Belvoir Army Hospital. This phase of the Route 1 widening is complete, and approximately \$30 million in unspent funds remains; such funding could be used for additional improvements in the Route 1 corridor within the scope of the Defense Access Roads requirements. However, OEA has indicated that after completion of all six Veterans Affairs Hospital infrastructure improvement projects, any remaining funds will be made available through an additional application process. The County continues to work with its Congressional delegation, federal agencies, and state partners on efforts to ensure that the full \$180 million is utilized to mitigate impacts in the Route 1 corridor as intended. *(Reaffirms previous position.)*
- ***Mark Center parking cap.*** Language setting a parking cap at the Mark Center has been included in various federal bills since FY 2012, due to continuing concerns over increased traffic and the impact of the Mark Center on the surrounding region. The cap seems to have been effective in encouraging a large number of Mark Center employees to use transportation alternatives, such as transit or ride sharing, preventing roadways from becoming overwhelmed. Maintaining the parking cap is critical to ensuring continued traffic mitigation in that area. *(Updates and reaffirms previous position.)*

TRANSPORTATION

Transportation Funding

Support increased federal investment in the nation’s transportation infrastructure, including maintenance of the existing system and expansion, as well as language included in the current authorization act giving priority to highway transportation funding for evacuation routes surrounding military facilities. Also support coordination with local governments and regional entities as the US Department of Transportation (USDOT) develops rules to establish performance measures and standards for numerous programs, and greater decision-making authority for metropolitan areas and local governments in determining how transportation funding is spent.

The President’s FY 2019 budget proposed a significant reduction for USDOT, including the elimination of numerous programs, at an overall funding level of \$76.5 billion (a \$9.7 billion decrease from the FY 2018 enacted level) and a discretionary funding level of \$15.6 billion (an \$11.7 billion decrease from the

FY 2018 enacted level). Congress has not completed the FY 2019 appropriations bill for USDOT, but the House and Senate bills contain significantly higher funding levels than were included in the President's budget – the House FY 2019 Transportation/Housing and Urban Development appropriations bill (part of a “minibus” funding bill as of December 3, 2018) provides total USDOT funding of \$88 billion, including \$27.8 billion in discretionary spending, while the Senate funding level is \$86.6 billion, including \$26.6 billion in discretionary spending.

Investments in transportation are necessary for a strong economy, and help spur growth. These investments not only make necessary improvements to regional and national infrastructure, but also create jobs – both during the construction of the facilities, as well as through the access they provide to other employment opportunities. Northern Virginia's need for transportation solutions for all modes will continue to grow in size and scope. Fairfax County has taken actions to substantially increase local funding for transportation infrastructure and service. The Commonwealth has also taken important steps forward, and the federal government must also do its part. The Fixing America's Surface Transportation Act (FAST Act), the surface transportation bill that was enacted in 2015, included additional funding for many programs vital to the County and the Commonwealth, and funding must be provided in accordance with those authorized levels. Safety must continue to be an important focus of transportation projects. Fairfax County opposes efforts to reduce transportation funding from the levels authorized in the FAST Act, as well as efforts to eliminate programs essential for the County.

- **Support dedicated funding for the Washington Metropolitan Area Transit Authority (WMATA), to ensure the success of this critical transit system.** Hailed as “America's subway,” Metrorail is vital to the transportation networks and economic growth of Northern Virginia and the DC region, and is fundamental to the functioning of the federal government, carrying thousands of federal workers to their posts every day. The County supports WMATA's efforts to enhance the safety and security of the system and its riders through adequate funding and oversight to ensure the viability of this essential transit system.

In Virginia, local jurisdictions are responsible for providing substantial funding for WMATA (Fairfax County provides approximately \$70 million each year in local and regional funding for operating and capital costs, and transfers approximately \$110 million in state aid annually). Until recently, WMATA was the only major transit provider in the country without a permanent, dedicated revenue source for a significant part of its revenue base – the vast majority of the \$1.9 billion operating and \$1.3 billion capital budgets derived from passenger fares and contributions by member jurisdictions. Virginia, Maryland, and DC recently took a major step forward by providing \$500 million annually for state of good repair needs, as well as requiring governance reforms, to enhance the safety, security, and efficiency of the system. The County and the region are working to implement the governance reforms, and several changes have already been made (it is important to note that Virginia's legislation addressed WMATA funding needs at the expense of other significant projects throughout the region, by diverting \$102 million per year in existing funding from the Northern Virginia Transportation Authority and localities to WMATA).

In 2009, the federal government established a precedent for linking WMATA Board representation and financial investments in the system (which was then followed by the Commonwealth in 2011), and upholding that precedent requires local jurisdictions to remain active participants on the WMATA Board as long as current funding patterns are maintained.

While local, regional and state efforts to address capital needs and state of good repair are ongoing, sufficient federal support, including reauthorization of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) annual appropriation (\$150 million per year, which is matched by the WMATA jurisdictions) and additional federal capital support, remains necessary. *(Updates and reaffirms previous position.)*

- **Support full funding for the Congestion Mitigation and Air Quality (CMAQ) formula program.** Established in 1991, this program provides funds for state and local governments to: improve air quality in transit-intensive areas that do not meet the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide or particulate matter (“nonattainment areas”); or, maintain standards in areas where there is a risk of nonattainment, due to high transportation activity (“maintenance areas”). These funds are distributed to each state on a formula basis and are awarded to projects through metropolitan planning organizations (MPOs). The FAST Act authorized \$2.45 billion in FY 2019 and \$2.5 billion in FY 2020, and the County supports full funding for CMAQ. *(Updates and reaffirms previous position.)*
- **Support full funding for transportation discretionary grant programs, including Infrastructure for Rebuilding America, or INFRA (previously known as FASTLANE), and Better Utilizing Investments to Leverage Development, or BUILD (previously known as TIGER).** Both INFRA and BUILD provide important funding opportunities for critical transportation projects. The County has submitted INFRA applications for the Richmond Highway/CSX Bridge Widening project and the Richmond Highway Widening project from Mount Vernon Memorial Highway to Napper Road, as well as a BUILD application for the Frontier Drive Extension (all three would improve access to federal facilities, including Fort Belvoir and the new TSA headquarters). Though the most recent round of INFRA funding did not include any projects in Virginia, awards from the most recent BUILD round have not yet been announced. The FAST Act authorized \$950 million in FY 2019 and \$1 billion in FY 2020 for INFRA. While not specifically authorized within surface transportation authorization legislation, funding for BUILD (and previously TIGER) has been approved for several years. The President has sought to eliminate funding for BUILD, but the House and Senate have both included funding in their appropriations bills (\$750 million in the House and \$1 billion in the Senate). It may also be beneficial to streamline these programs in the future, and to give greater consideration to congestion and mobility issues in the award processes. *(Updates and reaffirms previous position.)*
- **Support full funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program.** TIFIA provides credit assistance for qualified projects of regional and national significance, seeking to leverage federal funds by attracting substantial private and other non-federal investment in vital improvements to the nation's surface transportation system. The FAST Act authorized TIFIA for \$300 million per year in FY 2019 and FY 2020, expanded loan eligibility to include transit-oriented development (TOD) projects, and lowered the minimum anticipated project cost to qualify from \$50 million to \$10 million for TOD and from \$50 million to \$15 million for Intelligent Transportation System projects, retaining a \$50 million threshold for all other eligible surface transportation projects. The Trump Administration’s draft infrastructure plan, released in early 2018, proposes an additional \$14 billion to leverage the expansion of federal programs such as TIFIA, allowing use of such funds for airport infrastructure enhancement and expansion projects, and non-federal waterways and ports. *(Updates and reaffirms previous position.)*

- **Support continued federal investment in the Fixed Guideway Capital Investment Grant program.** This program provides competitive grant funding for major transit capital investments, including rapid rail, light rail, bus rapid transit, and commuter rail. This funding is critical for transit projects that are developed by local communities, such as the planned Richmond Highway and Leesburg Pike Bus Rapid Transit projects. The program (which includes funding for New Starts projects) is authorized at \$2.3 billion annually. *(Reaffirms previous position.)*
- **Support funding and policies that enhance TOD options for local governments.** Fairfax County is considering various options for funding infrastructure to support TOD. The County was one of 16 organizations selected to receive funding through the Federal Transit Administration's (FTA) TOD Planning Pilot Program in 2016. TOD grants can play a significant role in several areas in Fairfax County, including Tysons, Springfield, Seven Corners, and Reston. The County supports expanding its funding partnership with the federal government for TOD to ensure continuation of the region's economic vitality. *(Updates and reaffirms previous position.)*

Federal Aviation Administration (FAA) Reauthorization

Oppose further changes to the perimeter and slot rules for Reagan National Airport to protect the balance between Washington Dulles International and Reagan National Airports and support efforts to reduce the impact of aircraft noise on Fairfax County residents.

Federal law provides perimeter and slot rules to ensure balanced capacity between Washington Dulles International and Reagan National airports. The previous three FAA reauthorization bills (2012, 2011, and 2003) have given Reagan National more permitted slots (allowable takeoffs and landings per hour) and more non-stop flights beyond 1,250 miles (perimeter rule) to the detriment of Washington Dulles International. However, on a positive note, the five-year FAA reauthorization bill enacted in 2018 makes no additional changes to the perimeter and slot rules. The interconnectedness of Virginia's aviation system makes Dulles imperative to the continued success of airports around the state, and air expansion at Dulles is a major economic driving force in Fairfax County and Northern Virginia. As a result, the region, the Commonwealth, and the federal government have made significant investments in transportation projects to further spur the airport's growth, including the Metrorail Silver Line extension and improvements to Route 28 that will provide greater accessibility to Dulles.

Additionally, the FAA reauthorization bill includes language addressing the regulation of unmanned aircraft systems (UAS) by directing the Comptroller General of the US to study the potential role of local governments in UAS regulations. Increased local government involvement in the development and implementation of UAS policy has been a priority of the National Association of Counties (NACo). The bill also requires USDOT to establish a pilot program for applicants (state, local, and tribal governments, as well as private stakeholders) to test and evaluate the integration of UAS into the national airspace system, which the County should monitor.

Further, the implementation of the federal Next Generation Air Transportation System (NextGen, which is an upgrade to the nation's air traffic control system and is designed to manage more air traffic with greater efficiency) has resulted in flight paths concentrated over certain communities. In particular, the concentration of flight paths for arrivals and departures to the south of Reagan National airport has resulted in a significant increase in noise over residential areas in the County along those flight paths. The FAA reauthorization bill requires the FAA to study the potential health impacts of overflight noise, consider

the feasibility of amending current procedures for noise sensitive communities, and review NextGen community involvement practices. The County supports efforts to reduce the impact of aircraft noise on Fairfax County residents by modifying flight paths south of Reagan National to keep aircraft more centered over the Potomac River rather than over populated areas. *(Updates and reaffirms previous position.)*

Parity for Transit Benefits

Support continued parity between the levels of transportation benefits provided for transit and for parking.

Permanent parity between the level of tax-free employer-provided transit benefits and parking benefits is important in making transit service more attractive to commuters. The 2017 Tax Reform and Jobs Act eliminated the business deduction for private employers providing qualified mass transit and parking subsidies (this change does not affect the federal government, which can continue to provide such subsidies up to \$260/month in 2018). Instead of receiving a subsidy, employees in the private sector can choose to contribute up to a maximum of \$260/month pre-tax for both qualified mass transit and parking expenses in 2018. Since the majority of County transit riders have vehicles available, an end to deductions for employers in the private sector may result in more commuters driving, thereby worsening the substantial congestion on Northern Virginia's roads. *(Updates and reaffirms previous position.)*

Transportation Projects

In recent years, federal funding opportunities have not existed in the traditional, project-specific format used in the past. However, should any federal transportation funds or other opportunities become available, the County supports the following key transportation priorities:

- **Richmond Highway (US Route 1) Widening and Bus Rapid Transit (BRT):**

The Richmond Highway Corridor is one of the most heavily transit-dependent areas of Fairfax County, and one that is critically important to federal operations as an access point and evacuation route for Fort Belvoir (falling under the priority designation for grant funding that Congress explicitly recognized in federal law). It is also one of the most congested and economically disadvantaged areas of the County. Embark Richmond Highway is an initiative focused on creating a multimodal future for the Richmond Highway Corridor, which includes long-term planning efforts and a focus on economic development. The County is working with the Virginia Department of Transportation (VDOT) to widen Richmond Highway between Mount Vernon Memorial Highway (south) and Napper Road, providing a six-lane facility that will complement the recently-completed project widening Richmond Highway from Telegraph Road to Mount Vernon Memorial Highway. This will result in a six-lane facility between Fort Belvoir and I-95/I-495 in Alexandria (including both pedestrian and bicycle facilities), and will also provide the center median needed for a BRT project to operate, which is a fundamental part of the Embark plan (the BRT will extend from the Huntington Metrorail Station to Fort Belvoir). In addition, a future Metrorail extension is anticipated from Huntington to the Hybla Valley Community Business Center. The project will include new transit stations, as well as facilities for bicyclists and pedestrians. These projects will enhance the value of current and future federal investments, among them the BRAC-related improvements to Fort Belvoir facilities, by improving access to and mobility around Fort Belvoir. *(Updates and reaffirms previous position.)*

- **Soapstone Connector:**

The Soapstone Drive Connector over the Dulles Corridor (Dulles Toll Road, Dulles International Airport Access Highway, and the Metrorail Silver Line) will provide connectivity and accessibility to the Wiehle-Reston East Metrorail Station by connecting major east-west roads (Sunset Hills Road and Sunrise Valley Drive) located north and south of the Corridor. This new roadway will create additional capacity across the Dulles Corridor, reduce congestion, and improve accessibility and mobility to and within the area surrounding the Wiehle-Reston East Metrorail Station, as well as relieve congestion on Reston Parkway and Wiehle Avenue. By including designated northbound and southbound bike lanes and pedestrian sidewalks, and providing another route option for local and regional transit operators to use, the project improves multimodal connectivity to and around Wiehle-Reston East. *(Updates and reaffirms previous position.)*
- **Fairfax County Parkway Widening from Route 123 to Route 29, including the Popes Head Road Interchange:**

This project widens the Fairfax County Parkway from four to six lanes, and provides or improves pedestrian and bicycle amenities. The construction of a grade-separated interchange at Popes Head Road will accommodate and connect with the future Shirley Gate Road extension. The Parkway is one of the most heavily congested roadways in Fairfax County, particularly the segment between Route 123 and Route 29. Widening this section of the Parkway and improving the intersection at Popes Head Road will serve to reduce congestion, improve safety, and increase travel time reliability. These multimodal improvements will serve to better connect central and southern Fairfax County with travel choices aimed at reducing congestion. *(Reaffirms previous position.)*
- **Frontier Drive Extension:**

This project will extend Frontier Drive from Franconia-Springfield Parkway to Loisdale Road, including access to the Franconia-Springfield Metrorail Station and interchange improvements to and from the Franconia-Springfield Parkway. This project is designed to reduce congestion on I-95 between the Fairfax County Parkway and Old Keene Mill Road/Franconia Road, and in the area around the Springfield Town Center. It will enhance connectivity and access to and from the Franconia-Springfield Metrorail Station, Springfield Town Center, and Springfield Industrial Park. The project will also create a better multimodal environment by including bike and pedestrian accommodations. Additionally, the extension of Frontier Drive will provide significant benefits to the new TSA Headquarters in Springfield, which is currently under construction. Though this area currently has substantial and varied transportation and transit options, this project will further increase access, creating benefits for Fairfax County, the Northern Virginia region, and the federal government. *(Updates and reaffirms previous position.)*
- **Seven Corners Interchange:**

The Seven Corners area in eastern Fairfax County encompasses the Seven Corners Interchange, where three regional commuter routes (Arlington Boulevard/Route 50, Leesburg Pike/Route 7, and Wilson Boulevard/Sleepy Hollow Road) converge. The existing Seven Corners Interchange is a confusing confluence of major roads and multiple signalized intersections, with extremely limited pedestrian facilities and no bicycle facilities. As a result, most of the intersections at the Seven Corners Interchange operate poorly during peak periods, causing high levels of congestion, long periods of vehicular delay, and safety concerns for pedestrians, bicyclists, and transit users. The County's updated Comprehensive Plan for the Seven Corners area includes a concept for a

new Seven Corners Interchange, designed to alleviate these significant challenges. *(Updates and reaffirms previous position.)*

- **Potomac River Crossings:**

The need to cross the Potomac River creates major transportation challenges in the National Capital Region. The American Legion Bridge, one of the most heavily used in the region, is also the most congested, with traffic volumes expected to increase over the next 25 years. Since the largest number of vehicles traversing the American Legion Bridge travel between Fairfax and Montgomery Counties, the chokepoint created by this bridge requires long-term solutions (Maryland is currently evaluating managed lanes on I-495, and extending the existing Express Lanes to the I-270 West spur could provide attractive options for buses, carpools and vanpools traveling between Montgomery County and activity centers in Northern Virginia). Additionally, approximately 170,000 people cross the river each day through the Rosslyn Tunnel on Metrorail Blue, Orange, and Silver Line service. In the next 25 years, that number is expected to increase to 185,000 passengers crossing per day. The volume of commuters demonstrates that another crossing is essential to mobility in the area. Unfortunately, the capacity constraints of the Rosslyn Tunnel already create significant limits on transit service. It is vital that the capacity needs across the Potomac River be addressed, including at the American Legion Bridge and Rosslyn Tunnel, to alleviate the existing congestion and ensure the movement of people and goods throughout this economically vibrant region. Such action is essential to the economic success of Fairfax County and the National Capital Region. *(Updates and reaffirms previous position.)*

TAXATION AND FINANCE

Tax-Exempt Status of Municipal Bonds

Support maintaining the tax-exempt status of municipal bonds as a critical tool generating investments in vital public infrastructure for localities, saving state and local governments nationwide hundreds of billions in interest costs over the last century.

As the primary source of funding for local infrastructure projects, municipal bonds have provided localities throughout the US with a valuable funding tool for decades. In Fairfax County, such bonds are vital for strengthening economic development efforts. Fortunately, the 2017 Tax Reform and Jobs Act continued the tax deduction for municipal bonds, though the advanced refunding of such bonds was eliminated. Large municipalities would be particularly damaged if similar proposals are considered in the future, as the repeal of tax-exempt status would increase the debt service burden on counties nationwide by over \$9 billion annually. The County urges Congress to maintain this critical exemption. *(Updates and reaffirms previous position.)*

HUMAN SERVICES AND PUBLIC SAFETY

Federal Funding for Costs of Educating Federally-Connected Students

Support full funding for Impact Aid, which provides funding to school divisions that educate federally-connected students, and revisions to the Impact Aid eligibility process to ensure all students with military student identifiers are automatically included in the program. Also support increased Impact Aid funding for schools with a substantial population of military-connected families, as well as increased funding for military-connected students with disabilities who receive special needs exemptions. Additionally, support federal reimbursement for costs associated with

educating unaccompanied minors placed in Fairfax County by the Office of Refugee Resettlement (ORR).

Impact Aid serves many federally-connected families and provides the well-educated workforce and strong business climate that is so vital to the functioning of the federal government. Serving 19,195 federally-connected children places a significant cost on Fairfax County Public Schools (FCPS) (data from the 2017-2018 school year). The federal government attempts to compensate localities for these costs through the Impact Aid program, which is designed to assist local school districts that have lost property tax revenue due to the presence of tax-exempt federal property, or that have experienced increased expenditures due to the enrollment of federally-connected children. However, this program has been underfunded in recent years, and does not adequately compensate localities for the actual cost of providing a quality K-12 education. In FY 2019, FCPS expects to receive approximately \$3.2 million in Impact Aid, which covers only 1.1 percent of the costs incurred by FCPS to educate such children. If this program were fully funded, FCPS would have received approximately an additional \$22 million in FY 2019. FCPS receives less Impact Aid than other school divisions partially because when Impact Aid is not fully funded, as has been the case for decades, the funding formula prioritizes school districts with a higher percentage of military-connected students, rather than school districts like FCPS that have both more military-connected children overall and specific schools with high concentrations of military-connected students. Additional Impact Aid funding is needed to mitigate the effect of that component of the formula. Furthermore, revising the Impact Aid eligibility identification process to automatically “opt in” any student with a military student identifier would be extremely helpful in ensuring that FCPS receives Impact Aid funding for all military-connected students.

In addition to basic Impact Aid funding, school districts also receive payments for federally-connected children who have disabilities resulting in an Individualized Education Plan (IEP), but in FY 2018 this payment was only \$619 per child, in spite of the fact that it costs FCPS approximately \$25,000 per year per child to provide special education services (FCPS has nearly 1,300 military connected students with IEPs). Increased Impact Aid funding is needed for military-connected students with disabilities who receive special needs exemptions.

Additionally, significant numbers of federally-connected, school-aged children have been placed in Fairfax County through the federal ORR – over 400 in FY 2018. Though the County celebrates its diversity, and recognizes that a diverse student population benefits all children in the school system, these placements (and the corresponding financial impacts on FCPS) are often unanticipated, and frequently occur after the adoption of local budgets. *(Updates and reaffirms previous position.) (Position on Impact Aid funding is consistent with the Fairfax County School Board’s position.)*

Social Safety Net

Support federal funding for programs and services that provide a critical social safety net for vulnerable Americans.

It is the responsibility of government at all levels – federal, state, and local – to help Americans who are unable to fully meet their own needs. Healthy and productive individuals, families, and communities are the foundation of the US’ present and future security and prosperity, and ensuring this foundation requires a strong partnership among all levels of government to maintain the critical safety net. Fairfax County opposes changes that shift additional responsibilities to localities, weakening the federal/state/local

partnership, particularly in a state where financial support for the social safety net tends to be minimal, and supports programs and funding streams that:

- Help residents of Fairfax County meet their basic needs, from nutrition programs to homelessness prevention and affordable housing, such as the Community Services Block Grant and Homeless Assistance Grants (including Continuum of Care and Emergency Solutions Grants);
- Get Americans back to work and support economic development, including job training;
- Improve access to affordable, quality child care for families with low income, including increased funding for the Child Care and Development Block Grant;
- Provide local flexibility to meet the needs of a changing and challenging economic climate, while avoiding penalties to localities that exhibit prudent fiscal management;
- Promote school readiness for at-risk children, including increased funding for Head Start;
- Protect the health and well-being of residents through programs such as the Children’s Health Insurance Program (CHIP);
- Provide sufficient funding to meet federal mandates, or at a minimum, adequate flexibility to ensure the success of priority programs;
- Incentivize affordable housing creation and preservation, including full funding for the HOME Investment Partnerships Program ((HOME), which provides funding for affordable housing through acquisition, rehabilitation, new construction, and tenant-based rental assistance) and innovative financing through Low Income Housing Tax Credits supported by tax-exempt bonds;
- Help older adults and persons with disabilities remain safe and independent in their communities, such as the Older Americans Act programs; and,
- Assist states in providing adult protective services and long-term care ombudsman programs.
(*Updates and reaffirms previous position.*)

Community Development Block Grant Program (CDBG)

Support funding to address housing, water, infrastructure and human service needs, and to expand economic opportunities for low and moderate income individuals.

CDBG provides flexible funding for localities to address the needs of low and moderate income individuals, including community development activities to address threats to health or safety, rehabilitation of housing, construction and improvement of public facilities (such as water, sewer, and sidewalks), and job creation/retention activities (in FY 2018, Fairfax County received about \$5.6 million in CDBG funds). Unfortunately, since FY 2010, CDBG has been cut by nearly 25 percent, or \$1 billion. In FY 2018, Congress provided increased funding for CDBG at \$3.3 billion to keep pace with inflation (despite President Trump’s FY 2018 budget request, which completely eliminated funding for the program). Both the House and Senate FY 2019 Transportation/Housing and Urban Development appropriations bills (part of a “minibus” funding bill as of December 3, 2018) propose funding CDBG at \$3.3 billion. However, funding for CDBG should be increased to \$3.5 billion in FY 2019 – this funding level is supported by NACo and the US Conference of Mayors. (*Updates and reaffirms previous position.*)

Department of Justice (DOJ)

Support federal assistance to state and local governments to develop and implement programs designed to improve outcomes for individuals with mental illness involved in the criminal justice system. Also support continued funding for DOJ programs that provide critical support to local law enforcement.

The Justice and Mental Health Collaboration Program (JMHCP) provides funding for state and local governments to develop and implement programs designed to improve outcomes for individuals with mental illness who are involved in the criminal justice system. For many years, police officers have been the first responders when an individual is in the midst of a mental health crisis – the Fairfax County Police Department received nearly 4,000 calls from January – June 2018 that were mental health related. As a result, many of these calls lead to incarceration for low-level offenses (trespassing, disorderly conduct), precluding the individual from receiving appropriate treatment in the community for the underlying mental health issues with which he or she is grappling. In fact, more than three in ten inmates who remain at the Fairfax County Adult Detention Center (ADC) for more than four days have been identified as needing mental health care, and inmates with mental health and substance abuse issues remain at the ADC on average 20 days longer than inmates without these issues. Locally, Fairfax County’s “Diversion First” initiative, which offers alternatives to incarceration for people with mental illness or developmental disabilities who come into contact with the criminal justice system for low-level offenses, has had a significant impact (more than 1,000 people have been diverted from potential arrest since the program was launched in 2016). Federal funding is needed to sustain and expand this critical initiative; Fairfax County supports full funding (\$50 million) of the JMHCP. The program has not been fully funded since its inception in 2004, though Congress increased funding from \$12 million in FY 2017 to \$30 million in FY 2018.

The County also supports increased funding, or at a minimum level funding, for DOJ programs that provide critical support to County law enforcement, including: the Byrne/Justice Assistance Grant Program (Byrne/JAG); the State Criminal Alien Assistance Program (SCAAP); and, the COPS Hiring Grant Program. Federal funding from these programs assists the County in fighting crime, managing better outcomes for youth, and achieving the highest level of public safety for its residents. (*Updates and reaffirms previous position.*)

Gang Prevention and Intervention

Support greater federal efforts to assist localities with gang prevention and intervention programs, and stronger gang prevention measures.

Since 2003, the Northern Virginia Regional Gang Task Force has implemented a regional solution to gang-related violence and crime which transcends jurisdictional boundaries, through prevention/education, intervention, re-entry programs, and enforcement. Federal funds were allocated through DOJ appropriations bills from 2003 to 2012, ensuring that the Task Force was adequately staffed with necessary resources to implement critical programs, such as Intervention Prevention Education (IPE). However, the Task Force has not received any federal funds since 2012, leaving Northern Virginia localities to fill the funding gap. Though some localities, like Fairfax County, provide resources and funding to the Task Force, fiscal challenges have made providing the funding needed difficult without federal support, and as a result, not all Northern Virginia localities have continued their involvement. Thus, programs like IPE are operating at a reduced level, personnel are needed (i.e., law enforcement data analysts and gang coordinators, among others), and regional cooperation has diminished while gang-related violence continues to occur in Northern Virginia. Alarming, approximately 700 Fairfax County Public School students report being a gang member at some point in their life (according to the 2017 – 2018 Fairfax County Youth Survey of 8th, 10th, and 12th grade students). Continued federal funding for programs that provide resources to localities (such as DOJ’s Project Safe Neighborhoods, which both the House and Senate have recommended fully funding at \$50 million in FY 2019, a \$30 million increase above the FY 2018 enacted level) is necessary to restore the Task Force’s capacity and

expand essential programs to combat gang-related violence and crime. *(Updates and reaffirms previous position.)*

Substance Use Disorder

Support efforts to address substance use disorders and the opioid epidemic, including federal funding for prevention, enforcement, treatment programs, and drug courts.

Across Virginia, law enforcement and health care professionals identify the need to combat drug abuse as a high priority, as the statewide rate of drug-caused deaths in 2017 exceeded the number of deaths due to motor vehicle accidents for the fifth year in a row. That same year, 114 Fairfax County residents died from an opioid overdose (adults aged 25-34 made up 44 percent of the 2017 deaths) and Fairfax County emergency department visits for heroin and non-heroin opioid overdoses more than tripled between 2013 and 2017 (from 60 in 2013 to 241 in 2017). Increased federal funding to fight opioid abuse in FY 2019 (\$3.8 billion, an increase of \$206 million over the FY 2018 level) and legislation enacted in October 2018 to expand prevention, treatment and recovery programs, make reforms to Medicaid and Medicare to better serve program participants with substance use disorders, and provide greater support for federal drug courts are positive steps, but more funding is needed for addiction treatment and prevention efforts. Additionally, establishing a network of federal drug courts, as recommended by President Trump's Commission on Combating Drug Addiction and the Opioid Crisis could help connect individuals with substance use disorder to appropriate treatment. In September 2018, the White House Office of National Drug Control Policy announced a \$4 million, two-year grant (FY 2019 – FY 2020) for the National Association of Drug Court Professionals to provide training and technical assistance to drug courts throughout the country. Continued federal funding for state and local drug courts, such as the US Department of Health and Human Services' Substance Abuse and Mental Health Services Treatment Drug Courts, would also be beneficial and could be used to partially fund a local drug court in Fairfax County (the first such court in the Fairfax County Circuit Court was recently established). It is essential that substance use prevention programs and services are adequately funded, cost-efficient, accessible, and outcome driven. *(Updates and reaffirms previous position.)*

CONTINUING PRINCIPLES

Census

- Support adequate funding for the US Census Bureau to conduct an accurate and thorough decennial census in 2020, which has major implications for the distribution of federal funding, Congressional redistricting, and availability of social, demographic, and economic data used to guide policy decisions. *(Reaffirms previous position.)*

Consumer Protection

- Support efforts to enhance consumer protections in products sold by alternative financial services, such as payday loans and vehicle title loans, to minimize the negative financial impact of such products on financially vulnerable consumers. Payday and vehicle title loans are often associated with practices that drive consumers further into debt. *(Reaffirms previous position.)*

Education

- Support full funding for Impact Aid, which provides funding to school divisions that educate federally-connected students. Also, support increased Impact Aid funding for schools with a substantial population of military-connected families, as well as increased funding for military-connected students with disabilities who receive special needs exemptions. *(Updates and reaffirms previous position.)*
- Support revisions to the Impact Aid eligibility process to ensure all students with military student identifiers are automatically included in the program. *(New position.)*
- Support fully funding the costs of implementing federal mandates, such as the requirements in the Every Student Succeeds Act (ESSA) and Individuals with Disabilities Education Improvement Act (IDEA), and support broad flexibility and additional resources to carry them out. *(Reaffirms previous position.)*
- Support elimination of the current “prior use” rule for tax credits on school renovation and reconstruction, which disallows these credits when the building is rehabilitated and used in the same manner as before the rehabilitation. This could provide a tool for rehabilitating aging County schools. *(Reaffirms previous position.)*

Elections

- Support security and reliability of elections equipment and results, including funding for technical improvements. *(Reaffirms previous position.)*
- Support sufficient, ongoing federal funding to assist states and localities in implementing any new federal mandates for elections equipment and infrastructure, including accessibility and security requirements. The Virginia Department of Elections received approximately \$9 million in cybersecurity Help America Vote Act (HAVA) funds in 2018, but HAVA funding for other aspects of election administration is needed. *(Updates and reaffirms previous position.)*
- Monitor potential impacts of the Supreme Court decision striking down Section 4 of the Voting Rights Act, which eliminated the requirement that changes to Virginia’s election laws be “pre-cleared.” *(Reaffirms previous position.)*
- Support legislation that enhances collaboration between federal agencies, states, and localities for election administration and security, including funding for federal agencies (such as the US Election Assistance Commission) that disseminate research and information on elections administration and infrastructure. *(Reaffirms previous position.)*

Energy/Climate Change

- Support legislation providing funding for state and local governments to address issues related to global climate change, including energy conservation, use of renewable energy sources (including waste to energy), green buildings and vehicles, reduced emissions, and greenhouse gases. *(Reaffirms previous position.)*
- Support funding and incentives to increase research and development for emerging energy efficient and renewable technologies, including extending the Solar Tax Credit (also known as an Investment Tax Credit) at the current value of 30 percent for both commercial and residential projects (the Solar Tax Credit will decrease to 26 percent in 2020, decrease to 22 percent in 2021, and decrease to zero for residential projects and 10 percent for commercial projects after 2021). *(Updates and reaffirms previous position.)*

Environment

- Support incentives and innovations that encourage environmental preservation and resource conservation. *(Reaffirms previous position.)*
- Support incentives for open space preservation. *(Reaffirms previous position.)*
- Support adequate funding to local governments and achievable timelines for any new federal environmental regulations or mandates, particularly requirements related to the Chesapeake Bay watershed. *(Reaffirms previous position.)*

Federal Contracting

- Support efforts to streamline and increase efficiency and productivity in federal government operations, by maximizing the strengths of both federal contractors and federal government employees. Such efforts to strike this balance should be accomplished in a thoughtful, open process that is not arbitrary in nature. *(Reaffirms previous position.)*
- Support the critical partnership that exists between the public and private sectors in the conduct of federal government operations. This is particularly important in Fairfax County, where federal employees and federal contractors each contribute significantly to the local and state economy. *(Reaffirms previous position.)*

Health

- Support close monitoring of the Affordable Care Act (ACA), ensuring provision of critical health coverage and an efficient allocation of resources, while providing clear direction and appropriate incentives for consumers and employers, and avoiding both service reductions and restrictions on access to care. *(Updates and reaffirms previous position.)*
- Support close collaboration between the federal government and the Commonwealth to efficiently implement Medicaid expansion in Virginia. *(New position.)*
- Support appropriate oversight by the Centers for Medicare and Medicaid Services of Medicaid-funded transportation service, in order to resolve ongoing complaints stemming from consistent poor performance and ensure adequate service is restored. *(Reaffirms previous position.)*
- Support federal funding initiatives that will advance research, surveillance, reporting, and diagnostics for Lyme disease. *(Reaffirms previous position.)*

Homeland Security/Emergency Operations

- Support greater funding for “high risk” areas such as Northern Virginia and Fairfax County. *(Reaffirms previous position.)*

- Support timely delivery of funds and ways to achieve greater flexibility for use of funds, while maintaining strong accountability standards. *(Reaffirms previous position.)*
- Support federal assistance for the implementation of “Next Generation 911,” a major change in the provision of 911 services that is particularly critical for the National Capital Region. *(Reaffirms previous position.)*

Immigration

- Support stricter federal action to improve the enforcement of federal immigration laws and policies by federal agencies. *(Reaffirms previous position.)*
- Oppose actions that would compromise the County’s ability to deliver local government programs and services that benefit or protect the community as a whole. *(Reaffirms previous position.)*
- Oppose legislation that would mandate local governments to enforce federal immigration laws, especially in the area of law enforcement. *(Reaffirms previous position.)*

Land Use

- Oppose any diminution of local land use authority, either by further limiting the scope of local regulatory authority or by creating new and more elaborate land use regulatory structures. *(Reaffirms previous position.)*
- The County supports the concept that disputes over land use authority are local in character and should be solved at the local level. Further, the County requests that the development community and regional entities discuss any concerns or problems with the County before seeking legislative solutions. *(Reaffirms previous position.)*

Libraries

- Support increased federal aid to state library agencies and local public libraries. The Library Services and Technology Act (LSTA) provides critically important federal funding for the nation’s libraries, including resources which allow the Library of Virginia to support local libraries, early learning, summer reading, training for library staff, and access to Virginia’s documentary history. *(Reaffirms previous position.)*

Local Taxation

- Preserve existing local taxing authority. Encroachment upon local authority skews local accountability and hampers efforts to provide for constituent needs in the most cost effective and efficient manner. *(Reaffirms previous position.)*
- Support legislation allowing local governments to participate in the Federal Offset Program, which would improve the ability of local governments to collect delinquent local taxes by offsetting the owed taxes with reductions in the federal income tax refunds of the delinquent individual. *(Reaffirms previous position.)*
- Support the inclusion of local and regional sales and use taxes in online sales tax legislation, if Congress considers legislation to implement the US Supreme Court’s *South Dakota v. Wayfair* decision. *(New position.)*

Public Safety

- Support efforts to reauthorize the federal assault weapons ban included in the Violent Crime Control and Law Enforcement Act of 1994. *(Reaffirms previous position.)*

Telecommunications/Communications

- Oppose any preemption or circumvention of local governments' control over land use decisions, including the 2018 Federal Communications Commission (FCC) restrictions on the placement, construction, and modification of small cell facilities, undergrounding requirements, and the implementation of time limits for reviewing small cell facilities. Also, oppose any attempt to eliminate local governments' right to charge, on a non-discriminatory basis, fair and reasonable compensation for use of public property. (*Updates and reaffirms previous position.*)
- Oppose any reduction or diminution of local government authority to: address consumer needs; regulate consumer services; and, negotiate and enforce cable franchises that include provisions such as redlining prohibitions, franchise fees, public, educational, and governmental channels and financial support, customer service provisions, and technical construction standards. (*Reaffirms previous position.*)