



**FAIRFAX COUNTY**

**DRAFT RECOMMENDED STRATEGIES AND PRINCIPLES FOR THE 118 CONGRESS**

**NOVEMBER 28, 2023**

# Draft Recommended Strategies and Principles for the 118th Congress

## TABLE OF CONTENTS

---

<b>FEDERAL BUDGET .....</b>	<b>1</b>
Federal Funding .....	1
<b>TRANSPORTATION .....</b>	<b>2</b>
Transportation Funding .....	2
<b>ENERGY .....</b>	<b>5</b>
Climate Change .....	5
<b>ADDITIONAL TRANSPORTATION .....</b>	<b>6</b>
Federal Aviation Administration (FAA) Reauthorization .....	6
Parity for Transit Benefits .....	8
Transportation Projects .....	8
<b>FEDERAL FACILITIES .....</b>	<b>10</b>
Federal Agency Relocation, Consolidation, and Related Activities .....	10
<b>TAXATION AND FINANCE .....</b>	<b>11</b>
Tax-Exempt Status of Municipal Bonds .....	11
<b>HUMAN SERVICES AND PUBLIC SAFETY .....</b>	<b>12</b>
Federal Funding for Costs of Educating Federally-Connected Students .....	12
Affordable Housing .....	13
Social Safety Net .....	14
Community Development Block Grant Program (CDBG) .....	14
Department of Justice (DOJ) .....	14
Substance Use Disorder .....	15
<b>CONTINUING PRINCIPLES .....</b>	<b>16</b>
Census .....	16
Consumer Protection .....	16
Education .....	16
Elections .....	17
Environment .....	17
Federal Contracting .....	17
Health .....	18
Homeland Security/Emergency Operations .....	18
Immigration .....	18
Land Use .....	18
Libraries .....	19
Local Taxation .....	19
Public Safety .....	19
Telecommunications/Communications .....	19

## INTRODUCTION

---

### **“Protecting and enriching our quality of life for people, neighborhoods, and diverse communities.”**

Fairfax County’s Strategic Plan was adopted by the Board of Supervisors on October 5, 2021, and includes Ten Community Outcome Areas, which ensure a focus on the priorities of our community, including:

- Cultural and Recreational Opportunities
- Economic Opportunity
- Effective and Efficient Government
- Empowerment and Support for Residents Facing Vulnerability
- Environment and Energy
- Healthy Communities
- Housing and Neighborhood Livability
- Lifelong Education and Learning
- Mobility and Transportation
- Safety and Security

To address the racial and social inequities that remain in our community, Fairfax County has embraced a vision of One Fairfax: a declaration that all residents deserve an equitable opportunity to succeed, regardless of their race, color, sex, nationality, sexual orientation, religion, disability, income or where they live. As the Countywide Strategic Plan is implemented, we will focus on transforming islands of disadvantage – areas where residents face economic, educational, health, housing, and other challenges – into communities of opportunity.

Fairfax County has long maintained a strong partnership with the federal government, as the home to numerous federal agencies, employees, and contractors. According to USA Spending, federal government contracts performed in Fairfax County reached \$34.6 billion in Fiscal Year (FY) 2022. Thirty-three companies on Washington Technology magazine’s 2023 list of the 100 largest government contractors in the nation have US headquarters in Fairfax County, and 66 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

---

### Federal Funding

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

Fairfax County recognizes that the federal government continues to face fiscal challenges and has anticipated a certain amount of reprioritization of federal spending resulting from a national recession. However, the unprecedented economic and fiscal impacts of the COVID-19 global pandemic have required broad and long-lasting federal assistance for state and local governments to help mitigate these effects, from dealing with the health implications of the virus, to the challenges of prolonged distance learning in public schools, to the implications for businesses and the local economy, among others. Fairfax County supports continued federal investment in the programs and services that continue to be necessary as all levels of government recover.

Congress is still finalizing federal spending decisions for FY 2024 (the federal government is currently operating under a Continuing Resolution that consists of two parts – the first funds certain federal agencies, including the Departments of Transportation and Housing and Urban Development (HUD), through January 19, 2024, and the second funds the remaining federal agencies, including the Departments of Health and Human Services (HHS) and

**Labor, through February 2, 2024).** 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. The impacts of the 2017 federal tax cuts affected individuals in a variety of ways due to personal circumstances and financial decisions; however, the inclusion of a \$10,000 cap on taxpayers' ability to deduct state and local taxes (SALT) from their federally taxable income raised 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. Given the significant appreciation in home values in Fairfax County, the \$10,000 limit on the SALT deduction for federal income taxes will likely pose a substantial hardship for many families, and the federal government should consider eliminating or substantially increasing the SALT cap.

In **FY 2022**, Congress **returned** to the practice of providing direct funding for specific projects, now called "community project funding" (House) or "Congressionally directed spending" (Senate) (**previously referred to as "earmarks"**). This process is a fluid one, **as** parameters between the House and Senate differ, and options and requirements have changed throughout recent years. For example, certain programs/accounts were eligible for earmarks in the Senate, but not in the House. Members of the House have a limit on how many projects they can request, though that number has changed over time, while there is no such limit in the Senate. It is unclear at this time how the details of the process may change for FY 2025, but the overall restoration of direct funding has strong **bipartisan, bicameral support**. **With ongoing changes, however**, it is important for the County to maintain flexibility in submitting potential projects for federal funding, as funding opportunities may present themselves quickly, with limited response time, and with very specific federal requirements. Such County projects should be previously approved by the Board, required for the County to comply with federal or state mandates, or **required** to carry out Board priorities. Projects must also meet all federal requirements for individual funding accounts, including the amount of funding available, types of projects eligible, project readiness, and community support of projects, among other specific requirements. Project requests incorporate guidance from Congressional offices to maximize the competitiveness of each project.

A close working relationship between the County and the federal government continues to be essential. The County supports timely federal budget decisions to eliminate uncertainty that is detrimental to the Northern Virginia economy. *(Updates and reaffirms previous position.)*

## TRANSPORTATION

---

### Transportation Funding

**Support increased federal investment in the nation's transportation infrastructure, including maintenance and expansion of the existing system, **funding for buses and bus infrastructure**, and programs that expand non-motorized travel choices (such as Transportation Alternatives). As Congress implements the surface transportation authorization, support greater coordination and decision-making authority for metropolitan areas and local governments in determining how transportation funding is spent.**

In FY **2023**, the US Department of Transportation (USDOT) had an overall funding level of approximately **\$106.3 billion**, with a discretionary funding level of **\$28.7 billion**. The President's FY **2024** budget proposed an increase for USDOT, at an overall funding level of **\$107.3 billion** (**\$1 billion** increase from the FY **2023** enacted level) **with** a discretionary funding level of **\$27.9 billion** (**\$800 million** decrease from the FY **2023** enacted level). With the inclusion of an additional **\$36.8 billion** in guaranteed advanced appropriations provided under the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law, USDOT's total budget for FY **2024** will be approximately **\$144.1 billion**. The House FY **2024** appropriations **bill** has an overall funding level of **\$100.9 billion** (**\$6.4 billion** less than what was included in the President's FY 2024 budget request), while the Senate bill has an overall funding level of **\$107.4 billion** (**\$100 million** more than what was included in the President's FY 2024 budget request).

Investments in transportation are necessary for a strong economy and to 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. This includes the need for bicycle and pedestrian facilities that help improve travel choices while providing public health benefits, as well as other efforts to address “last-mile” connections to home and work. Fairfax County has taken actions to substantially increase local funding for transportation infrastructure and services. The Commonwealth has also taken important steps forward, and the federal government must also do its part. The IJA contains a five-year surface transportation authorization that includes additional funding for many programs vital to the County and the Commonwealth, and funding must be provided in accordance with those authorized levels. Fairfax County opposes any efforts to reduce transportation funding from the levels authorized in the IJA, as well as efforts to eliminate programs essential for the County. The IJA authorizes and provides upfront supplemental appropriations from FY 2022 to FY 2026 for several new programs that support local transportation-related projects, including: \$5 billion for the Safe Streets and Roads for All competitive grant program, supporting local initiatives to prevent death and serious injury on roads and streets; and, \$500 million for the Strengthening Mobility and Revolutionizing Transportation (SMART) grant program, conducting demonstration projects focused on advanced smart city or community technologies and systems to improve transportation efficiency and safety (including autonomous vehicles and smart grids to support electric vehicles (EVs)). Safety must also continue to be an important focus of transportation projects.

- **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 success of the Silver Line extension to Dulles International Airport and beyond demonstrates the extraordinary things that can be accomplished when federal, state, and local governments, along with the private sector, work together. 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 is responsible for paying approximately \$200 million for operating and capital costs annually, with approximately half provided through local and regional funding and half transferred from state aid). 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 \$2.4 billion operating and \$2.4 billion capital budgets is derived from passenger fares and contributions by member jurisdictions, though the additional assistance provided by the federal government to assist during the COVID-19 pandemic has been vital in continuing service. Virginia, Maryland, and DC 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.

These efforts combined with sufficient federal capital support, including the reauthorization of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) annual appropriation (\$150 million per year, matched by the WMATA jurisdictions) remains necessary to address capital needs and state of good repair. Fairfax County’s Congressional delegation demonstrated its continued strong support for federal WMATA funding through the inclusion of \$1.35 billion from FY 2022 through FY 2030 (or \$150 million annually) for WMATA in the IJA, while requiring changes to its Office of Inspector General, including independent hiring and budget authority. The House and Senate FY 2024 Transportation, Housing and Urban Development, and Related Agencies (T-HUD) spending bills each include \$150 million in funding for the annual PRIIA allocation for WMATA, the same as the FY 2023 enacted level and the President’s FY 2024 budget request.

In addition to capital needs, the system also has significant needs in its operating budget. A shortfall of up to \$650 million is currently projected in FY 2025, with the gap expected to increase further in the coming

years. The County is working with its partners at the regional and state levels to address this issue. Support at the federal level would be an important part of ensuring appropriate funding for the system's needs.

Additionally, in 2009, the federal government established a precedent for linking WMATA Board representation and financial investments in the system (which was followed by the Commonwealth in 2011) – upholding that precedent requires local jurisdictions to remain active participants on the WMATA Board as long as current funding patterns are maintained. *(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 (BRT), 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 BRT projects. The program (which includes funding for New Starts projects) is authorized at \$2.3 billion annually. In FY 2023, the Capital Investment Grant (CIG) program was funded at \$2.6 billion. The President's FY 2024 budget requested funding for CIG at \$2.85 billion, while the House and Senate FY 2024 T-HUD spending bills provide \$392 million and \$2.45 billion, respectively. Additionally, the IJA authorizes \$15 billion for Capital Investment Grants from FY 2022 to FY 2026 and provides \$8 billion in upfront supplemental appropriations. *(Updates and reaffirms previous position.)*
- Support full funding for the Congestion Mitigation and Air Quality (CMAQ) formula program.** 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 authorization levels for CMAQ have been increased in the IJA, which provided \$13.2 billion for FY 2022 to FY 2026 (approximately \$2.64 billion annually) – support for CMAQ funding is a long-standing County priority. *(Updates and reaffirms previous position.)*
- Support full funding for transportation discretionary grant programs, including Infrastructure for Rebuilding America (INFRA), Rebuilding American Infrastructure with Sustainability and Equity (RAISE), and the National Infrastructure Project Assistance Program.** These grant programs provide important funding opportunities for critical transportation projects. RAISE is not authorized but is funded annually through additional appropriations in the IJA. Specifically, the IJA provides \$12.5 billion in supplemental appropriations for RAISE and National Infrastructure Project Assistance Program grants from FY 2022 to FY 2026 (or \$2.5 billion annually), with \$7.5 billion reserved for projects with significant local or regional effects (\$1.5 billion annually for RAISE grants) and \$5 billion reserved for multimodal projects of national or regional significance (\$1 billion annually for National Infrastructure Project Assistance Program grants). The House's FY 2024 T-HUD spending bill does not provide any additional appropriations for RAISE or National Infrastructure Project Assistance Program grant programs, while the Senate's FY 2024 T-HUD spending bill includes an additional \$800 million for RAISE grants. It may 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. Prior to the IJA, the Fixing America's Surface Transportation Act (FAST Act) authorized TIFIA for \$300 million per year from FY 2019 to 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 IJA authorized TIFIA (and many other transportation programs) through FY 2026 and provides \$1.25 billion in guaranteed contract authority from the Highway

Trust Fund from FY 2022 to FY 2026 for the TIFIA program (i.e. \$250 million annually). *(Updates and reaffirms previous position.)*

- Support funding and policies that enhance transit-oriented development (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 enacted FY 2023 T-HUD spending bill provided \$13.4 million for the TOD Planning Pilot Program. The House and Senate FY 2024 T-HUD spending bills do not provide any additional funds for this program; however, the House T-HUD Report directs the FTA to report to Congress “on the non-statutory metrics that were considered for selecting grantees of the TOD pilot program” for FY 2023 no later than 120 days after enactment of the bill. The IJA does not authorize or provide any additional appropriations for this program. On October 27, 2023, the Biden Administration announced that USDOT released new guidance to states, localities, and developers on how the TIFIA and Railroad Rehabilitation and Improvement Financing (RRIF) programs can be used to finance housing development near transportation, including conversion projects. In addition, USDOT released a policy statement with principles for pursuing transportation projects with the dual goals of increasing affordable housing supply and decreasing emissions. USDOT is also releasing guidance that makes it easier for transit agencies to repurpose properties for transit-oriented development and affordable housing projects, including conversions near transit by transferring properties to local governments, non-profit, and for-profit developers of affordable housing at no cost. 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.)*

## ENERGY

---

### Climate Change

**Support innovative approaches to address global climate change, including incentives to increase research and development for emerging energy-efficient and renewable technologies, and carbon pricing to incentivize market forces to decrease the use of fossil fuels. Also support federal funding for state and local governments to address issues related to global climate change, including the identification of climate risks and vulnerabilities, the development of adaptation and resilience strategies, energy conservation, use of renewable energy sources (including waste to energy), green buildings and vehicles, preservation of parkland and wetlands, habitat creation, carbon sequestration, and reduced emissions and greenhouse gases.**

For decades, Fairfax County has pursued initiatives to combat climate change. The County is currently accelerating and increasing local efforts to address the causes of climate change through the implementation of a Carbon Neutral Counties Declaration, as well as implementing goals, strategies, and actions included in the Community-wide Energy and Climate Action Plan (CECAP), accepted in 2021. Complementing CECAP is Resilient Fairfax, the County’s Climate Adaptation and Resilience Plan to address the impacts of climate change. Accepted in 2022, the County is implementing the strategies identified in Resilient Fairfax to reduce climate risks to County residents, businesses, infrastructure and systems. The federal government must do its part by adopting a more aggressive strategy to address climate change, along with innovative policies, including carbon pricing, clean energy mandates, investments in green infrastructure and services, and strategies for preservation of forest and wetlands. This strategy should consider negative impacts on vulnerable populations and include community involvement and public education. Passage of the Inflation Reduction Act (IRA), which invests \$369 billion in climate change and energy security measures, is an important step in moving these issues forward. The County supports 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) for both commercial and residential projects (as of 2020, the Solar Tax Credit for residential projects is 26 percent – the IRA increased that credit to 30 percent for systems installed between 2022 and 2032. That will decrease to 26 percent for systems installed in 2033, and to 22 percent for systems installed in 2034. The Solar Tax Credits for commercial projects include, for systems placed in service in 2022 or later and beginning construction before 2033: an Investment Tax Credit of 30

percent or a per kilowatt-hour Production Tax Credit for the first 10 years of a system's operation. Projects may be eligible for bonus credits if they meet domestic content standards (which allow clean energy projects to be eligible for additional tax credits if they contain a certain percentage of manufactured products produced in the US (like steel or iron, for example) or are located in a low-income community). The County supports President Biden's robust new fuel economy standards for Model Year (MY) 2023 to MY 2026. Finally, the County supports continued funding for programs included in the IRA to incentivize the expansion of energy efficiency improvements and zero-emission vehicle infrastructure, including the Energy Efficient Home Improvement Credit and clean vehicle credits for new and used vehicles. *(Updates and reaffirms previous position.)*

## ADDITIONAL TRANSPORTATION

---

### 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. Support efforts to reduce the impact of aircraft noise on Fairfax County residents. Support local government involvement in policies addressing unmanned aircraft systems (UAS).**

#### *Perimeter and Slot Rules*

Federal law limits flights at Reagan National Airport to ensure balanced capacity between Washington Dulles International Airport and Reagan National Airport. Previous FAA reauthorization bills (2012, 2011, and 2003) have given Reagan National Airport 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, the five-year FAA reauthorization bill enacted in 2018 makes no additional changes to the perimeter and slot rules. The House passed its FAA reauthorization bill, the Securing Growth and Robust Leadership in American Aviation Act (H.R. 3935), in July 2023 (defeating an amendment that would have added seven round-trip flights to Reagan National Airport each day). The Senate's FAA reauthorization bill (S. 1939) is currently pending, and while there have been discussions about relaxing the perimeter rule, no formal action has been taken. The interconnectedness of Virginia's aviation system makes Dulles imperative to the continued success of airports around the Commonwealth, 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. *(Updates and reaffirms previous position.)*

#### *Aircraft Noise Pollution*

The 2018 FAA reauthorization bill required the FAA to study the potential health impacts of overflight noise, consider the feasibility of amending current procedures for noise sensitive communities, and review the federal Next Generation Air Transportation System community involvement practices (known as NextGen, this is an upgrade to the nation's air traffic control system designed to manage more air traffic with greater efficiency). The implementation of NextGen 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.

Based on the 2018 directive, the FAA released a noise survey in 2021 which noted a substantial increase in the percentage of people who are highly annoyed by aircraft noise. Following the release, the Congressional Quiet Skies Caucus, including Congressman Don Beyer (VA), sent a letter to the FAA expressing concerns over the survey's outdated noise metrics. The FAA's response indicated the agency is taking steps to begin a policy review to advance the scientific understanding of noise impacts. It also indicated it would continue a community engagement strategy to discuss the management of airspace with affected communities, as



well as work with airports, airlines, and local elected officials on strategies to promote transparency in resolving community concerns. The Government Accountability Office (GAO) also released a report in September 2021, about the issue, which found that the FAA's approach for measuring noise does not provide a clear view of what communities may experience and recommended that the FAA supplement its analysis and provide more information to the public about potential flight noise.

Language included in the FY 2023 Consolidated Appropriations Act directs the FAA to engage with communities affected by aircraft noise. It also directs the FAA to ensure that Airport Improvement Program (AIP) funds are made available to reduce the impact of noise on communities near airports and on communities further from airports that experience highly repetitive overflights, such as residential noise insulation. These items were supported by the Congressional Quiet Skies Caucus. Fairfax County supports efforts to reduce the impact of aircraft noise on County residents by modifying flight paths south of Reagan National Airport, keeping aircraft more centered over the Potomac River, rather than over residential areas.

The House FAA reauthorization bill (passed this summer (H.R. 3935)) includes several noise-related directives that require the FAA to work with local communities to address aviation noise and its impact on area residents. The Senate bill also addresses aircraft noise, directing the FAA to work with members of airport-adjacent communities to evaluate existing FAA noise policies and regulations. Fairfax County supports such noise-related provisions. *(Updates and reaffirms previous position.)*

### *Unmanned Aircraft Systems (UAS)*

The regulation of UAS (also known as drones) is another component of the FAA reauthorization legislation. In 1997, USDOT established a pilot program to test and evaluate the integration of UAS into the National Airspace System (NAS). Virginia Tech's Center for Innovative Technology (CIT) was one of the original ten lead participants. In the 2018 FAA reauthorization, Congress sought to address some of these issues 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). In 2019, the FAA established UAS requirements related to recreational drone pilots in the Low Altitude Authorization and Notification Capability (LAANC) system, which automates the application and approval process for drone pilots, allowing for more efficient correspondence between such pilots and air traffic controllers. Those requirements remain in place. Additionally, in October 2020, the then US Secretary of Transportation announced the conclusion of the three-year UAS Integration Pilot Program (IPP), and indicated that eight of the nine state, local, and tribal governments that participated in the program, including the CIT team, signed new agreements with the FAA to continue to tackle remaining UAS integration challenges. The eight governments will participate in the new BEYOND initiative, which is focused "on operating under established rules rather than waivers, collecting data to develop performance-based standards, collecting and addressing community feedback and understanding the societal and community benefits, and to streamline the approval processes for UAS integration."

In July 2023, the FAA released an Updated Fact Sheet on State and Local Regulation of UAS, revising a 2015 fact sheet setting forth the preemption framework applicable to UAS, and providing information about the federal regulatory framework to be used by states and localities when considering laws affecting UAS. The Senate's FAA reauthorization bill (S. 1939) and the House-passed reauthorization bill (H.R. 3935) both include different aspects of the recommendations laid out in the framework and other best practices from the field. Fairfax County supports the continuation of initiatives, like the BEYOND program to integrate UAS into the NAS, which are crucial for addressing safety concerns while promoting innovation in this area. *(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 did not affect the federal government, which can continue to provide such subsidies). In the past, businesses were able to claim a federal business tax deduction on the amount they contributed to the commuter benefits program. Private sector employees can choose to contribute a portion of their income (up to \$300 per month in 2023) for qualified mass transit and parking expenses, pre-tax. The public transit subsidy for federal employees was also up to \$300 per month through 2023. In November 2023, the Internal Revenue Service (IRS) announced that employees who use commuter benefits can now spend up to \$315 per month tax-free beginning on January 1, 2024 (this benefit will be available throughout 2024). Since most 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

The IJA created several competitive grant opportunities that are funded through FY 2026. As these various funding opportunities become available, the County supports the following key transportation priorities:

- **Richmond Highway (US Route 1) 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. 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 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 Sherwood Hall Lane. **When completed,** this will result in a six-lane facility between Fort Belvoir and I-95/I-495 in Alexandria (including both pedestrian and bicycle facilities). **Further, this is a vital component of the County's Richmond Highway BRT project, known as "The One."** **The One** (a fundamental part of the Embark plan and redevelopment effort) will extend from the Huntington Metrorail Station to Fort Belvoir. 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 Base Realignment and Closure (BRAC) related improvements to Fort Belvoir facilities, by improving access to and mobility around Fort Belvoir. *(Updates and 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 the 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 Transportation Security Administration (TSA) Headquarters in Springfield. 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. *(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 recently completed a phasing analysis to determine the projected order of transportation improvements to be implemented in Seven Corners. The recommended construction phases are: (1) A Ring Road on the west side of the interchange between Route 50 and Route 7; (2) Continuing the Ring Road on the south side of the interchange between Route 7 and Route 50; (3) Reconfiguring the central interchange above Route 50 (Route 7 and Wilson Boulevard/Sleepy Hollow Road); and (4) Completing the Ring Road on the east side of the interchange between Route 50 and the intersection of Wilson Boulevard/Roosevelt Boulevard. *(Updates and reaffirms previous position.)*

- **Davis Drive Bridge:**

This project will establish a new connection between Sunrise Valley Drive in Fairfax County and Innovation Avenue in Loudoun County over the Dulles Toll/Access Road. The new connection will be located just west of the new Innovation Center Metrorail Station, providing access to the facility and the development occurring near the station. The project will also include bicycle and pedestrian facilities, facilitating multimodal access to the Metrorail System and the entire Washington Metropolitan area through the newly opened Silver Line Extension. Further, the project will provide additional capacity across the Dulles Corridor, reducing congestion and delay on Virginia Route 28, Centreville Avenue, and other roadways in the area. *(Reaffirms previous position.)*

- **Route 7 Bus Rapid Transit (BRT):**

The County is working with its regional partners to study and implement a Route 7 BRT project. When finished, the project will provide 14 miles of BRT service, connecting Tysons in Fairfax County to the US Department of Defense Mark Center Facility in Alexandria through Bailey's Crossroads, Seven Corners, and Falls Church. When completed, the project will provide as many as 45,000 transit trips each day, connect vital business and residential areas, and provide high quality transit along this important historic corridor. The County has taken a variety of actions in support of this effort, including approving Memorandums of Agreement on various phases of the study, endorsing the preferred alignment for the Fairfax County Route 7 BRT study between West Falls Church Metrorail Station and the Spring Hill Metrorail Station, and authorizing a Comprehensive Plan amendment adding the preferred alignment and associated potential station locations, as outlined in the County's study. *(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 which are currently being considered by Maryland and 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. *(Reaffirms previous position.)*

## FEDERAL FACILITIES

---

### 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 provide tremendous economic growth opportunities, but also create a unique vulnerability to fluctuations in federal funding, particularly as it relates to defense spending. In the FY 2022 US Department of Defense (DOD) Office of Local Defense Community Cooperation (OLDCC) “Defense Spending by State” report, the Commonwealth of Virginia ranked first in total defense spending (\$62.7 billion), first as a percentage of state GDP (including \$42 billion in defense contract spending), and first in defense personnel spending (\$20.3 billion) – Fairfax County is vital to those placements, ranking first nationally in defense contract spending at \$17.8 billion (a significant increase from \$9.9 billion in FY 2016). Additionally, the Commonwealth ranked second in defense personnel, employing over 247,300 individuals, including over 21,700 in Fairfax County.

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 for both the County and the federal government. 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 opportunities to leverage Fairfax County’s strategic location in Northern Virginia for federal agencies considering relocations, including the relocation of the FBI headquarters from its current location in downtown Washington, DC. In June 2022, the General Services Administration (GSA), in a report to Congress, identified three locations for construction of a new FBI headquarters in the National Capital Region, and one of those locations is in the Springfield area of Fairfax County. The Springfield site is well situated for the headquarters – it is located less than 40 miles from Quantico, which houses the FBI’s Laboratory Division, Operational Technology Division, and FBI Academy, along with the Drug Enforcement Administration’s Training Center and other federal facilities. This site is also located next to the newly opened headquarters for the TSA, which has reaffirmed the robust collaboration between the County and the federal government. Further, it is well served by the existing transportation network, within walking distance of the Franconia-Springfield Transportation Center that is served by WMATA’s Metrorail; the Virginia Railway Express commuter rail system; local, regional, and intercity bus services; and, near several equity emphasis areas within the County. Though the GSA announced the selection of the Greenbelt site as the next home of the FBI headquarters in November 2023, the Director of the FBI and Members of Congress have raised a number of questions about the process, particularly because the professional, three-person panel that evaluated each of the potential sites according to the parameters and criteria included in the published site selection plan reached a unanimous recommendation that Springfield is the highest rated site, writing a detailed report articulating the basis for its recommendation of Springfield (the panel was comprised of two career GSA officials and one career FBI official, along with several technical, legal, and procurement advisors). Fairfax County continues to believe that the Springfield site is the best option for the FBI, and would welcome such a relocation, as well as other similar federal relocations to the Springfield site. The establishment of such a workplace increases the economic vitality of those areas along with the County by encouraging business development, supporting small businesses, and growing

the tax base, among other benefits. These continued partnerships underscore the opportunities that exist, the importance of sustained relationships, and 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 proposals 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 (including provisions addressing the identified transportation impacts) 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 preferential 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 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 OLDC, appropriated \$180 million in federal funds to widen US Route 1 from Telegraph Road to Mount Vernon Memorial Highway, to improve road access and traffic flow to the Fort Belvoir Army Hospital. This phase of the Route 1 widening is complete, and approximately \$30-34 million in unspent funds remains in the program; such funding could be used for additional improvements in the Route 1 corridor within the scope of the Defense Access Roads requirements. However, OLDC personnel have stated that after completion of all six Veterans Affairs Hospital infrastructure improvement projects, OLDC will seek guidance from the relevant Congressional committees on how the remaining funds should be spent. All projects are complete and the OLDC expects the administrative process to close out all accounts will be completed by the end of FY 2024. Thereafter, OLDC will submit a report to Congress. The County continues to work with its Congressional delegation, federal agencies, and state partners on efforts to ensure that available revenue can be utilized to mitigate impacts in the Route 1 corridor as intended. *(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 **investments in public improvements and** strengthening economic development efforts. Fortunately, the 2017 Tax Reform and Jobs Act continued the tax deduction for municipal bonds, but there is still a risk that the tax-exempt status of municipal bonds could be eliminated. While the 2017 tax law protected tax-exempt municipal bonds, it eliminated the advanced refunding of such bonds. Fairfax County supports reinstating advanced refunding and preserving tax-exempt municipal bonds. **Per NACo, if municipal bonds were fully taxable during the 2003-2012 period, it is estimated the financing for the 21 largest infrastructure purposes would have cost state and local governments an additional \$495 billion of interest expense. Localities, states, and state/local authorities financed \$3.3 trillion in infrastructure investments using municipal bonds from 2012-2022. Over the past half century, state and local governments have increasingly borne the cost of infrastructure and public improvements. According to the**

Congressional Budget Office, about 75 percent of public funding for transportation and water infrastructure alone is supplied by state and local governments, and the federal savings from any proposed changes would not offset the economic strain that would be shifted to state and local governments (and their respective taxpayers) because those investments will become more expensive. 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 and providing supportive services to 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 nearly 16,600 federally-connected children places a significant cost on Fairfax County Public Schools (FCPS) (data from the 2022-2023 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 does not adequately compensate localities for the actual cost of providing a quality K-12 education as a result of consistent underfunding. In FY 2024, FCPS expects to receive approximately \$3.7 million in Impact Aid, which covers only one percent of the costs incurred by FCPS to educate such children. If this program were fully funded, based on current funding formulas, FCPS would have received more than \$20.7 million in additional funding for FY 2023. 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 reducing the administrative burden of identifying relevant students and 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 2023 this payment was only \$712 per child, despite the fact that it costs FCPS more than \$30,000 per year per child to provide special education services (FCPS has over 1,040 military-connected students with IEPs). Increased Impact Aid funding is needed for military-connected students with disabilities who receive special needs exemptions. The Senate’s FY 2024 Labor, Health and Human Services, and Education Appropriations Act includes \$1.6 billion for Impact Aid, an increase of \$10 million over the enacted FY 2023 funding level while the House’s FY 2024 Labor-Health and Human Services-Education spending bill maintains the FY 2023 funding level of \$1.6 billion.

Additionally, significant numbers of federally-connected, school-aged children have been placed in Fairfax County through the federal ORR over the last decade. In fact, between October 1, 2014, and August 31, 2023, Fairfax County had the eighth highest number of placements in the country (nearly 10,200). 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 unpredictable, fluctuating dramatically over the past several years, and frequently occur after the adoption of local budgets. In addition, many unaccompanied children need supportive services, including case management, basic needs assistance, employment preparation,

and health care, which are no longer provided by ORR once children are placed with sponsors. *(Updates and reaffirms previous position.)*

## Affordable Housing

**Support federal funding** (such as the Community Services Block Grant and Homeless Assistance Grants, including Continuum of Care and Emergency Solutions Grants) **and actions to increase the availability of affordable housing, provide emergency rental assistance, and prevent homelessness.** Also support incentivizing 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 other innovative financing tools. **Additionally, the County supports:**

- **Actions to strengthen and expand the federal Low-Income Housing Tax Credit Program (LIHTC), which plays a key role in financing affordable housing, to increase available credits and make tax credit equity usage more efficient.** In Fairfax County, approximately 10,000 affordable homes have been constructed, preserved, or rehabilitated utilizing the LIHTC program. The ability to encourage private investments in affordable housing through tax credits is critical to helping meet the demand in the County. Federal legislation currently under consideration, which has bipartisan support, would significantly increase the capacity of the LIHTC program. Research estimates that if passed, such legislation could help finance more than 1.9 million additional affordable homes nationwide over 10 years. Specifically, the legislation would, among other things:
  - Increase allocations of highly lucrative and competitive nine percent housing tax credits to states by 50 percent. These credits are considered to be an extremely successful and efficient method for facilitating the production and rehabilitation of affordable housing across the US. On average, 50 percent of the total financing for nine percent LIHTC projects comes from equity derived from the credit. In areas with high area median incomes (AMI) and rents, these credits can effectively create new and preserve existing rental housing with below-market rents (because of the higher incomes in these areas, LIHTC developments are financially feasible since LIHTC rents, while below-market, are tied to the AMI of the metropolitan area and as such will be higher in these areas than in areas with lower median incomes, leading to better cash flows for the property).
  - Prohibit states from requiring special approvals that treat affordable rental housing differently from any other multifamily project; and,
  - Lower the bond financing threshold from 50 percent to 25 percent for private activity bonds to enable more bond deals. Private activity bonds, such as those regularly issued by the Fairfax County Redevelopment and Housing Authority (FCRHA), are tax-exempt bonds issued to provide special financing benefits for qualified projects. This step would relieve the intense pressure on the bond volume cap experienced nationally, including in Virginia. *(Updates and reaffirms previous position.)*
- **Legislation that extends the Moving to Work (MTW) status of designated public housing authorities (PHA), including that of the FCRHA.** Moving to Work is a demonstration program for public housing authorities that provides them the opportunity to design and test innovative, locally designed strategies that use federal dollars more efficiently, help residents find employment and become self-sufficient, and increase housing choices for low-income families. MTW provides exemptions from many existing public housing and voucher rules and provides funding flexibility in how federal funds are used. The FCRHA applied for this prestigious designation as soon as it was eligible to do so, and has been a Moving to Work PHA for approximately 10 years. *(New 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 engaged individuals, families, and communities are the foundation of the US’ present and future security and prosperity, and ensuring this foundation requires a strong partnership across all levels of government to maintain the critical safety net. Fairfax County opposes changes that shift additional responsibilities to localities, **as well as new eligibility requirements intended to restrict access to basic needs**, 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, **including** nutrition programs and the Community Services Block Grant **(CSBG)**.
- Ensure a workforce equipped for emerging, high-growth industries by providing affordable and accessible learning opportunities (including through funding workforce development programs) for all ages and stages of development.
- Improve access to affordable, quality child care for families with low incomes, 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.
- Ensure that the basic needs of low-income military families are met (many are paid so little that they are forced to use public assistance to feed their families).
- Help older adults and people with disabilities remain safe and independent in their communities, such as the Older Americans Act programs.
- 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 and communities.**

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, **conversion of commercial buildings to housing**, construction and improvement of public facilities (such as water, sewer, and sidewalks), and job creation/retention activities (in FY **2024**, Fairfax County received an estimated \$**5.6** million in CDBG funds). Congress provided formula/entitlement funding for CDBG at \$**3.5** billion in FY **2021**, \$**3.3** billion in FY **2022**, and \$**3.3** billion in FY **2023**. For FY **2024**, the Biden Administration, House and Senate proposed \$**3.3** billion for CDBG. Fairfax County supports increasing CDBG funding to \$4.2 billion in FY **2024**, which is the level requested by NACo. *(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 behavioral health issues 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 behavioral health issues who are involved in the criminal justice system. Law enforcement officers are often the first responders when an individual is in a mental health crisis – the Fairfax County Police Department responded to over 10,000 mental health-related calls in calendar year 2022. Such calls, at times, can lead to incarceration for non-violent offenses, precluding individuals from receiving appropriate treatment for behavioral health issues. Locally, Fairfax County’s “Diversion First” initiative offers alternatives to incarceration for people with behavioral health issues who come into contact with the criminal justice system. Additionally, a co-responder team, comprised of both behavioral health and law enforcement professionals, has been initiated to enhance the County’s response to behavioral health crisis calls. Diversion First has already had a significant impact – since 2016, there have been more than 3,600 diversions from potential arrest. Additionally, there has been a 21 percent decrease in the jail behavioral health population with misdemeanor charges from 2015 to 2022. Over the same period, the number of inmates referred to the Fairfax-Falls Church Community Services Board (CSB) jail-based services increased by 52 percent. Though the average daily population has decreased since FY 2008, the medical complexities of inmates have increased, with complex substance use and mental health disorders becoming more common. Federal funding is needed to sustain and expand this critical initiative; Fairfax County supports full funding (\$50 million) of the JMHCP, which has not been fully funded since its inception in 2004. The program received \$45 million in FY 2023. For FY 2024, the Biden Administration requested \$40 million, while the House and Senate’s respective FY 2024 Commerce-Justice-Science spending bills each provide \$45 million for the JMHCP.

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); the COPS Hiring Grant Program; and the Law Enforcement Mental Health and Wellness Act (LEMHWA) grant program. Federal funding from these programs assists the County in combatting crime, managing better outcomes for youth, providing crucial resources to law enforcement officers, and achieving the highest level of public safety for its residents. *(Updates and reaffirms previous position.)*

## Substance Use Disorder

**Support increased capacity to address the ongoing substance use disorder epidemic through community-based treatment (including detoxification, medication-assisted, residential, and intensive outpatient programs) and innovative efforts to limit the supply of opioids, particularly fentanyl which is involved in nearly all fatal overdoses in Fairfax County and the Commonwealth. Also support coordinated strategies to meet the growing need for substance use disorder services and incentivize providers that target specific high-risk age groups, including youth. In particular, regulatory action and innovative approaches to prevention and nicotine addiction treatment are necessary to address the vaping crisis that is affecting teens and young adults at an alarming rate.**

Across Virginia, the number of fatal overdoses remained elevated, with over 2,600 fatalities in calendar year 2022 – an increase of over 60 percent from 2019. In the Fairfax Health District (including Fairfax County and the cities of Fairfax and Falls Church), opioids are the number one cause of unnatural death, with 88 opioid overdose deaths in 2022; all but two of these fatalities were due to fentanyl. Though federal actions in recent years to expand prevention, treatment, harm reduction, 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, more funding is needed for treatment, prevention, and drug courts to respond to the increasing need for services.

Another concerning trend is the widespread use of e-cigarettes, which have been the most used tobacco product among youth since 2014. In 2023, about one out of every 22 American middle school students (4.6 percent), and one out of every 10 American high school students (10 percent) reported that they had used e-cigarettes in the past 30 days. In Fairfax County, among students surveyed in the 8th, 10th and 12th grades, more students reported vaping within a month of the survey date in November 2022 than using any other substances, and lifetime prevalence rates were 5.8 percent of 8th graders, 9.5 percent of 10th graders, and 17.4 percent of 12th graders. Though e-cigarettes became popular because they have been considered less harmful than regular cigarettes, the discovery of severe respiratory illness in otherwise healthy young people as a deadly complication

of vaping has raised alarm throughout the US. In April 2022, the US Food and Drug Administration (FDA) announced a proposed rule to ban menthol from cigarettes, as well as to ban flavored cigars, which are popular with youth. In October 2023, the FDA sent a long-awaited draft final rule to the White House Office of Management and Budget (OMB) for review and approval, a key regulatory step. The County supports a federal effort to accelerate the evaluation of the health impacts of e-cigarettes and vaping products; allocate funding to increase communication of the risks associated with vaping THC and products purchased on the street; and, strengthen enforcement to ensure e-cigarettes and vaping products are not marketed or sold to youth. It is essential that all substance use prevention programs and services are adequately funded, cost-efficient, accessible, and outcome driven. *(Updates and reaffirms previous position.)*

## CONTINUING PRINCIPLES

---

### Census

- Support continued funding for the US Census Bureau as it prepares for the 2030 Census and its subsequent data releases, which have major implications for the distribution of federal funding, Congressional redistricting, and the availability of social, demographic, and economic data used to guide policy decisions. An accurate Census count is critical to state and local government operations, and various survey programs (primarily the American Community Survey – a demographic, housing, and socioeconomic survey program conducted by the Census Bureau) provide data annually, as essential tools for state and local governments, informing decision-making and program development. It is estimated that Virginia will lose up to \$2,000 annually for each person not counted, or more than \$20,000 per person over a decade. *(Updates and reaffirms previous position.)*
- Support the use of accurate, equitable methodology in carrying out Census operations. This includes assessing the new disclosure avoidance methodology (a process used to protect the confidentiality of census respondents' personal information) implemented in the 2020 Decennial Census. The Census Bureau is required to keep personally identifiable information confidential – in order to do this, they utilize a disclosure avoidance system (DAS) to anonymize the data. In 2020, a new methodology was implemented for the first time to modernize the DAS. This new method injects extraneous information into the data, leading to concerns about data accuracy (which could have a significant impact on larger jurisdictions like Fairfax County, since a possible effect of the practice is to shift population counts from larger to smaller jurisdictions). *(Updates and reaffirms previous position.)*
- Support the Census Bureau's ongoing surveys and programs, and the technology developed to aid data distribution and data application. *(Reaffirms previous position.)*
- Support continued funding for the Census Bureau in the long-term, as the agency conducts research and development of information-gathering technology to be used in anticipation of the 2030 Census. *(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. *(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, reducing the administrative burden of identifying relevant students. *(Reaffirms previous 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 federal efforts, especially those of the US Department of Homeland Security, to ensure the security and reliability of voting technology and operations, and elections results as part of the nation’s critical infrastructure, 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 \$22.4 million in cybersecurity Help America Vote Act (HAVA) funds in FYs 2018, 2020, 2022, and 2023, but HAVA funding for other aspects of election administration is needed. If states are the recipients of federal funding for improvements to election administration, consultation with localities should be required in determining the use of the funds. *(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.)*

## Environment

- Support incentives and innovations that encourage environmental preservation, enhancement, and resource conservation, including solid waste management improvements (such as extended producer responsibility, which ensures producers of consumer products are appropriately responsible for the treatment and disposal of the post-consumer products that they generate). *(Reaffirms previous position.)*
- Support incentives for open space preservation and enhancement, including within developed areas. *(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.)*
- Support initiatives to enhance tree canopy in urban areas. *(Reaffirms previous position.)*
- Support the utilization by FCPS of federal funding opportunities made available by the IRA for energy efficiency projects in school facilities. *(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), safeguarding the 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. Also support actions to ensure equitable access to care and reasonable health care costs. *(Reaffirms previous position.)*
- Support close collaboration between the federal government and the Commonwealth to maximize Medicaid expansion in Virginia. *(Reaffirms previous position.)*
- Support enhanced Medicaid reimbursement for skilled nursing care. *(Reaffirms previous 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.)*
- Support parity between primary healthcare and behavioral healthcare to ensure reimbursement parity for critically important behavioral health services. *(Reaffirms previous position.)*
- Support increased and long-term funding for the Community Health Center (CHC) Fund, which provides critical funding for CHCs (primary care centers that are community-based and patient directed, serving those who have limited access to healthcare), as well as the National Health Service Corps and the teaching health centers program. Health centers help increase access to crucial primary care by reducing barriers, such as cost, lack of insurance, and distance. *(New 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.)*
- Support efforts to allow local governments to perform hazard response work that would be eligible for reimbursement of costs when a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program application is pending to ensure essential mitigation efforts are not delayed while awaiting award decisions. *(Updates and reaffirms previous position.)*

## Immigration

- 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.)*
- Support reducing barriers to libraries acquiring eMaterials under reasonable terms and costs. *(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.)*
- Oppose federal efforts to limit or delay the ability of states to collect sales tax from remote sellers. *(Reaffirms previous 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.)*
- Support enhanced federal efforts to assist localities with gang prevention and intervention programs, as well as stronger gang prevention measures. *(Reaffirms previous position.)*
- Support additional resources to ensure gang prevention and intervention programs are adequately staffed with specialized personnel (including law enforcement data analysts and gang coordinators, among others). *(Reaffirms previous position.)*

## Telecommunications/Communications

- Oppose any preemption or circumvention of local governments’ control over land use decisions, including restrictions on the placement, construction, and modification of small cell and other wireless facilities, undergrounding requirements, and the implementation of time limits for reviewing wireless facility applications. 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. Monitor implementation of Federal Communications Commission (FCC) action to expand Section 6409 rules (including ruling on commencement of shot clock and expansion of the 30-foot area to deploy transmission equipment) or otherwise further diminish local authority over telecommunications facilities and equipment. *(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.)*
- Support pro-consumer actions by the FCC, such as the 2023 price transparency rulemaking proceeding, which would require cable operators and satellite providers to show the full, “all-in” cost to their subscribers as a prominent single line item on bills and promotional materials, giving consumers an accurate reflection of their payment obligations and enabling them to comparison-shop among providers’ offerings. *(New position.)*
- Support federal grant programs that would fund broadband deployment, assist consumers in paying for broadband internet service, and help eliminate digital discrimination. *(New position.)*