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[00:00:01] Good morning, everyone, if everyone can have their seats. All right, well, thank you all for being here. Welcome to the December 2nd, 2025 meeting of the Board of Supervisors Legislative Committee.

[00:00:19] At our last meeting on October 7th, the committee reviewed key priorities and discussed federal and state dynamics affecting Fairfax County. We also underscored the importance of clear communication coordination with our General Assembly delegation. We reviewed both the 2026 draft legislative program for the General Assembly as well as looked at current federal priorities.

[00:00:43] In addition, we reviewed the BAC proposals. Today, we're going to continue that work by reviewing both the state and federal draft legislative programs to ensure they reflect the county's priorities heading into the upcoming General Assembly session and the year ahead.

[00:00:58] The point of today's meeting is to learn about the changes made to these guiding documents after the public hearing on November 18th as we move closer to a vote. This year, there's an increased focus on strengthening collaboration with our state delegation and improving communication with our residents. We have three presentations today. The current state of federal legislation presented by the Ferguson Group and NACO. The second, 2026 draft federal strategies and principles. And third, the draft legislative program. As a reminder, this is a non-voting committee and we will not be voting

[00:01:38] today. And please remember to hold all questions until each of the separate three presentations are done. Before we begin, I want to ask for acceptance of the meeting summary from our October 7th meeting. Unless there are any comments or corrections, we will consider that summary accepted and presented. Does anyone have any comments on those? Moving on, with that accepted, I will turn over the meeting to the Ferguson group, the first presentation, and on to you.

[00:02:07] Well, thank you, Chairman. Good morning, everybody. Zach Israel from the Ferguson Group. So this presentation is going to be jointly done between NACO and TFG. And so we're going to start with Mark from NACO and then turn over to my colleague Jeff from the Ferguson Group and myself to go over sort of a higher level framework of what we've experienced the last 10 to 11 months and then get a little more granular in terms of issue areas that have direct impact to Fairfax County that are reflected throughout your federal legislative platform. So with that, I'll turn it over to Mark to kick things off. Thank you so much, Zach. Thank you,

[00:02:46] Mr. Chairman. It's really an honor to be here today. My name is Mark Rotako. I'm the Chief Government Affairs Officer for the National Association of Counties. I want to thank you all for your work on behalf of your residents here in Fairfax County, and I want to thank you for your engagement with the National Association of Counties. The National Association of Counties attempts to speak with a unified voice for all 3,069 counties in America. And I'm here to talk a little bit about the changing federal policy landscape before we kick it over to Zach and TFG

[00:03:21] for some specifics. So we are entering a new era of federalism, which is the balance between state, federal, local, and tribal governments. NACO is calling this era the big shift. Federalism is shifting, federal policy is shifting, and in many ways impacting state and local governments.

[00:03:42] There are three key messages on this big shift that I'll touch on throughout this presentation, or three key dynamics, I should say, or mechanisms for the shift. It's going to mean increased costs for state and local governments, county governments, decreased intergovernmental support from reduced federal funding, and then resulting in reduced local autonomy as more restrictions and other preemptive federal policies come down from Washington, D.C. So Virginia counties receive significant intergovernmental revenue, which you can think of as revenue from state and federal

[00:04:19] governments. These federal shifts, federal cuts, will affect the orange band on this chart. It's an easy-to-see chart, but the red arrow is where Virginia falls, and the orange bands are what each state receives from other levels of government, federal or state. And again, thinking of the passage of H.R. 1, president's budget requests, and congressional actions since have led to this

[00:04:54] big shift dynamic, which is increased cost, decreased federal support, and reduced local autonomy. This is really important to Fairfax County and counties across the country because we are the frontline service providers for both human services and the safety well-being of our residents. Nationwide, counties implement human services and administer human services across a range of issues. Virginia is one of 10 states where counties administer both SNAP and Medicaid at the local level. These are

[00:05:33] those 10 states. So on the SNAP side, we'll do SNAP first, which is actually the second column down on this particular slide. The H.R. 1 and I would say just the general federal policy tenor in Washington means that SNAP is changing and again affecting Virginia and Fairfax County, particularly as one of the 10 states. The federal match that has existed for years

[00:06:06] is going from 50% federal, 50% local, to 75% local, 25% federal. Virginia County's contribute 15.5% of that non-federal match to SNAP. And as a result, from the administrative side, that would be \$19 million extra per year to administer these changes as a result of H.R. 1.

[00:06:34] The other side of the changes in SNAP, as I'm sure you all know, because this bill passed in July, is that the share of the benefits, the cost of the benefit share is changing. It used to be 100 percent federal, and now it's changing based on the error rate for the state. At Virginia's current error rate, that could mean an additional \$263 million to provide benefits for the SNAP program, which of course is not evenly distributed. It's distributed based on where the beneficiaries

[00:07:10] live. Additionally, right now, these provisions will go in, will come into effect on a rolling basis. Right now, there is new guidance on how to administer the SNAP program as it relates to work requirements. All of these changes are ones that NACO was engaged with our Congress and the administration on. We were able to secure a delay in the administrative cost shift. It was originally

[00:07:42] going to be starting in 2026, and we were able to delay that until 2027, and I would say that it's a big part of our advocacy to delay that further. Quickly on Medicaid, there are over two million Virginians on Medicaid. These are, of course, largely low-income adults, families, people with disabilities, and pregnant women. In Fairfax County, over 150,000 residents participate in Medicaid. It's the largest program that the county administers. CBO projects that nationwide

[00:08:14] 11.8 million people will become uninsured as a result of H.R. 1. And again, these changes that will affect Medicaid enrollment and the cost of state and local governments phase in over the course of several years. So what will counties, Fairfax County, Virginia counties, counties nationwide need to do about this? There are different approaches depending on what state

[00:08:47] you're talking about. State legislatures are beginning to assess these costs and modify their budgets going forward. Others are changing their state policies that affect county governments, and so Colorado was the first state to go into a special session to deal with the changes from HR1. On the ground, we at NACO anticipate that there'll be trade-offs, to say the least, and

[00:09:20] we've categorized five potential avenues of trade-offs or just recalibrations that counties will need to do. Need to cut back or scale back critical services because of the increased costs. Continue to deliver those services at a new cost, dipping into reserves. Raise local taxes or fees, which counties are often limited in their authority to do so. Delay or cancel discretionary projects, infrastructure, resilience investments. Of course, this coincides with the wind down of

[00:09:55] the American Rescue Plan, state and local fiscal recovery fund funds. So those infrastructure and resilience investments that were made over the last five years might need to be delayed as a result. Of course, I'm talking about nationwide. These are how other counties are responding to this. And then lastly, of course, there is just county governments may need to absorb the long-term political and social impact of these policy changes. With that, I'll happily turn it over. And I believe we're taking questions at the end. So thank you again.

[00:10:33] Thank you, Mark. Appreciate it. So my name is Jeffrey Burke. I'm here with the Ferguson Group. I'm going to spend the next little bit of our presentation here with my colleague, Zach, really trying to hone in on some of the main issues that are facing Congress and the federal government currently and heading into 2026 with a specific focus on how that impacts Fairfax County and, you know, kind of share a

little bit about what we think some of that outlook is going to look like going forward. So I would say the first most pressing issue that is on people's minds right

[00:11:10] now, especially given that we've now entered the month of December, is the Affordable Care Act enhanced premium tax credits. As a lot of you probably know, this was the key sticking point behind the record-breaking federal government shutdown that took place in October and into November. Eventually, eight Senate Democrats, including Senator Tim Kaine, secured a verbal agreement with the Republican majority in the Senate to give the votes needed to open the

[00:11:44] government along the lines knowing that they would have a vote this month potentially on a way to extend the Affordable Care Act premium tax credits. I'll note here that for Fairfax County, the Kaiser Family Foundation estimates that the benchmark silver plans in Fairfax County would increase anywhere between 200 and 210% should the tax credits not be extended. So this will have a really big, real on-the-ground impact here in Fairfax County for folks. So back to Congress

[00:12:22] here. Senate Democrats secured this agreement to hold this vote. I will note that Speaker Mike Johnson in the House has not agreed to hold such a vote, and Congress is still very much in limbo right now about where we're at with the enhanced premium tax credits. There are folks working and trying to come to an agreement. One thing I'll note is in the House, there has been a bipartisan bill discussed to extend the premiums and for folks who are 600% or less of the federal poverty level. So that is a bipartisan bill that's being discussed. But as of the Thanksgiving break when

[00:13:01] Congress left. We've not really seen much movement on that right now. Senate Democrats still are expressing some confidence that there's going to be a vote this month on the tax credit extension, but we'll have to see what happens here over the next couple weeks. The thing that I will note is the last couple weeks there has been talk that the White House has been trying to come up with a plan for what they would support for a premium tax credit extension, and they had discussed maybe circulating a plan, and then that plan never came out. There was some rumors of what that plan

[00:13:36] looked like, which would have been a two-year extension for folks, I believe, making it was under 400% of the federal poverty level, as well as some sort of kind of base level premium that folks would have to pay or a sort of kind of percentage of their annual income. So we're continuing to watch the Affordable Care Act tax credit extension, and we'll obviously keep everybody updated on what we know. The next major issue as we move into 2026 is going to be the surface transportation reauthorization. This is a process that Congress traditionally goes through about every five years. The most recent surface transportation bill that we're operating under

[00:14:16] was the Infrastructure Investment and Jobs Act that was passed by Congress in 2021. That essentially gave transportation authorization through September 30th of 2026. This will have a really big impact as you know Fairfax is planning you know a really large multi-billion dollar investment in transportation priorities over the next you know five years and so the programs that Congress deals with and addresses in the transportation reauthor are going to really impact the type of funding maybe even the levels of funding that Fairfax is going to be

[00:14:52] able to get over the next number of years. This includes programs like the BUILD grant, which is a major transportation grant, the Safe Streets for All. There's going to be a lot of programs that are impacted in terms of both funding level and programmatic changes that we're going to need to keep an eye on as Congress works through this transportation reauthorization.

[00:15:12] Currently, where we're at with the reauthorization is that both the House and the Senate have begun their committee work on this. Earlier this year, the House Transportation and Infrastructure Committee opened up kind of public comments for folks to offer ideas and ideas or ideas and solutions about what they would like to see included in the transportation reauthorization bill. The Senate hasn't had a formal comment period, but we know that staff are continuing to work behind the scenes and engaging with stakeholders on what folks would like to see

[00:15:45] there. The Trump administration has been very involved in working on this. I attended kind of their launch event over the summer with Secretary Duffy, where they talked a lot about their priorities, which includes really accelerating building projects for transportation, strengthening their partnerships with state and local entities, finding ways to increase safety.

[00:16:12] And there was also a big emphasis on NEPA reform, which they feel like generally slows down transportation infrastructure. And so we're just going to continue to watch that and see as the process plays out. We believe that in early next year, we expect the House to hold their markup on their surface transportation reauthorization bill. And we've been really encouraged so far that it has generally been a very bipartisan process. Chairman Graves in the House of Representatives, who's the chair of the House T&I committee, has been really open about wanting to

[00:16:48] work with Representative Larson, who's the ranking member, and including, you know, priorities that are both, you know, for Republicans and for Democrats as well. So we're going to continue to watch that. The other thing in the transportation section that I just wanted to mention for folks, a few weeks ago, Trump administration started kind of floating this idea of eliminating many of these kind of mass transit funds from the Highway Trust Fund. This would obviously be kind of a massive impact on transit agencies and folks here in Fairfax County that rely on transit funds. There hasn't been much movement since that proposal first went out. Chairman Graves,

[00:17:26] the Republican chair of the House DNI Committee, he very quickly came out and kind of shot that idea down. So there doesn't appear right now to be much interest in Congress on that. But given the administration's interest in it, um, it will definitely be something to watch here, uh, as we move forward. And then the other one that I'm going to mention before I turn it over to my colleague Zach, um, this is the Road to Housing Act. Um, Fairfax County has, has laid out their goal of building 10,000 new housing units, um, by 2034, um, which is, which, which is really great given

[00:18:03] the environment that we're currently in, uh, with the lack of affordable housing, uh, that folks are facing all around the country. We were really encouraged earlier this year when a bipartisan group in the Senate introduced the Road to Housing Act, and it really quickly seemed to gain a lot of bipartisan support. This is the, to be frank, the biggest housing bill that has had legs in many, many years. And so we've been really encouraged by that. I will note that some of the key provisions of this Road to Housing Act, it's essentially a mix of like 40 different housing bills that

[00:18:39] different members had introduced over the years, and they kind of packaged it all together and put it into this Road to Housing Act. They would lift caps on the Rental Assistance Demonstration Program. They would create a pilot program to support housing development in CDBG jurisdictions.

[00:18:58] they really want to try to incentivize housing near public transit routes um and so it really is a great kind of broad bill that's aimed at trying to just you know a silver kind of buckshot sort of idea about trying to get affordable housing out there um and so we've been really encouraged and we think that you

know this could really have a big impact in fairfax county and counties all around the country to help address issues of affordable housing and help meet these goals of like I said, 10,000 new housing units by 2034. Looking ahead for the Road to Housing Act, we were really encouraged that the Senate quickly moved on this and they included the Road to

[00:19:36] Housing Act in their version of the FY26 National Defense Authorization Act. In the House, however, there's been not quite as much support, generally because this bill came out of the Senate and a lot of the members of the Senate had a lot of impact and influence on this bill. So it was not included in the house version of the NDAA. Um, and so the key thing to watch here moving forward will be whether, um, once they're in conference for this year's NDAA, whether the Senate is maybe able to sort of win out and make sure that this is, uh, included. But, uh, here, here at the Ferguson group working on behalf of Fairfax County, you know, we're going to be keeping a really close

[00:20:13] eye on this and, um, encouraging folks to, um, to get this included as a way to just really incentivize affordable housing going forward. So, um, with that, I will turn it over to my colleague, Zach, for some additional issues that we're looking at. Thank you. Thank you, Jeff. So federal workforce. So, you know, as of early 2025, the statistics were showed that about 80,000 federal government employees reside in Fairfax County. Now, that's obviously, I would imagine, has changed as we're in early December. It's hard to know exactly what the current status is right

[00:20:48] now. But there have been a lot of changes made regarding the federal workforce since January 20th. Some of the day one executive orders that President Trump had signed, mandated restructuring of federal hiring practices and principles.

[00:21:04] And then the second EO here I want to highlight, which he sort of initiated in his first term, the Biden administration stopped it and it's resurfaced, is called Schedule F. And essentially that would allow them to reclassify certain federal employees involved in policymaking positions to positions with fewer civil service protections.

[00:21:23] And that one is working its way through the rulemaking process from the Trump administration. But the first one at this point has been led by Office of Management and Budget, Office of Personnel Policy. And they have sort of given deference to individual agencies to decide what those plans look like agency from agency, department to department.

[00:21:48] And so if you're a federal worker who, you know, lives in Fairfax County, obviously, I mean, there's so many federal workers in Fairfax. I mean, everyone in this room probably has family or friends who are federal workers and have been impacted directly by these changes. A lot of this is ongoing, but, you know, over the next three years, a lot of this will play out.

[00:22:07] There'll be, I'm sure, litigation over some of it, but has, you know, real life impacts for those who serve in the federal government. And then since January 20th, we've had a federal hiring freeze, essentially, in effect. There have been some carve-outs to that.

[00:22:22] So, for instance, for certain political appointees, and then, of course, related to immigration enforcement, national security, public safety, those get exceptions. But by and large, the current administration is not really hiring new employees outside those categories.

[00:22:40] And that's been in effect since January 20th. And from by and large, will not change for the foreseeable future. Another thing to highlight, which got a lot of attention in the first few months of the

administration and has sort of petered off, is the Department of Government Efficiency, DOGE, which was led by Elon Musk the first several months of the administration, which directly led to mass layoffs of federal workers and different agencies.

[00:23:07] That was also a day one executive order, and that executive order formally terminated Doge effective July 4th of next year. But really what we've seen is since Elon Musk has left the administration back in mid to late May, the public facing part of this has really been scaled back.

[00:23:28] And just about a week or two ago, the head of the Office of Personal Management was asked about DOGE, the current status of DOGE, and he made a comment that I think was misinterpreted. He had to clarify, but what he was first reported is what he said was DOGE doesn't really exist anymore.

[00:23:46] And that got a lot of attention, so he had to clarify, saying, actually, there's not a centralized apparatus around DOGE anymore, But it lives on through all of these agencies that we have these Doge workers that started on January 20th who are embedded in all these agencies and their work continues.

[00:24:02] So he had to quickly clarify that. But I think it goes to show that I think at this juncture of the administration, a lot of the political appointees who directly control the agencies want to sort of rein back control from the folks who are sort of spearheading Doge.

[00:24:18] and there was a lot of push and pull there. But in terms of a lot of the rapid fire chaos of the first few months, that has sort of gone to the wayside at this juncture, but it's still something to keep an eye out on. And then as of November 18th, estimates are that over 207,000 civil servants have left the federal workforce in 2025 alone. 207,000 people, 154,000 of whom signed up the Deferred Resignation Program, which was offered to, I think, pretty much every federal worker in the first few months of the administration, and all of that became effective September 30th,

[00:24:55] the end of FY25. So we are seeing just a really significant change to the federal workforce that has obvious impacts to Fairfax. And then I'd also be remiss not to mention federal contractors who live and work in Fairfax County, many of whom, all of whom were also directly impacted by the 43-day shut down. And unlike federal government employees, a lot of those folks were not guaranteed back pay because they're a separate category. And it's important to note that as well. So just moving on to energy and the environment. So the main focus on this one, there's a lot that's not covered

[00:25:32] here. I just want to be clear. But what I really wanted to focus on is going back to H.R.1, which Mark talked a lot about regarding impacts to SNAP and Medicaid. There was a lot of changes made to the energy tax credits, clean energy tax credits from the Inflation Reduction Act in 2022.

[00:25:49] And a lot of those IRA credits, almost all of them, were originally set to expire in 2032-2033 timeframe, or at least start to phase out. And that gave, you know, basically a 10-year window for folks to make investments knowing that those tax credits would be in place for a 10-full-year cycle. And so unfortunately, H.R. 1 terminated a lot of these much more rapidly. So the ones to really highlight for Fairfax, and let me, before I get into that really quickly, the Inflation Reduction Act also created the Elective Pay Program, also known as Direct Pay. And this is

[00:26:25] a big deal because for the first time ever, non-profit or tax-exempt entities, including county governments are able to receive payment equal to the value of these tax credits from the Treasury Department IRS for the full value of those, including EV charging, solar and wind projects on any county infrastructure, county facilities, vehicles of that sort. So these changes by the H.R. 1 directly impact the

ability of Fairfax and other counties to use those specific tax credits and get that money for it. So the three that I want to highlight,

[00:27:03] the alternative fuel vehicle refueling property credit, so essentially EV charging stations. This was one that was supposed to go through 2032 that counties could use direct pay under. That's now terminating on June 30th, 2026. And so any money that county governments could have been able to get from that, this is sunsetting six and a half years earlier now, or sorry, five and a half years earlier. Um, and so there's still seven months to go until that fully expires, but that, that was a big blow. Um, and then another two dimension, these are the real significant ones that got a lot of attention, the production credit, uh, tax credit and the

[00:27:42] investment tax credit. So these are the solar and wind projects. Um, and so those were supposed to go through 2033. Um, and now under the HR one, they, uh, you need construction to start by July 4th of next year and you need the full project done in service by the end of 2027. So if there was some solar project that the county government was spearheading and that you wanted to get money back from the federal government, you would have to operate under that timeline now, which is much more narrow than what was originally envisioned. And I mentioned, you know, on the left side of the

[00:28:19] slide, some specific examples in Fairfax of some efforts you all are making and that, you know, under normal circumstances with the original timeframes, you probably would have been able to take advantage of these. Um, and I, I think with the, um, the wind and solar there, if you're creative, there are some ways to still take advantage of them as well as the EV charging stations, but you'll have to move quickly, unfortunately under this new law. Uh, and then just to wrap it up, um, data centers and artificial intelligence, um, which I know is a very, very

[00:28:51] hot topic these days. So back in late July, the White House hosted an AI summit, and it unveiled its framework for AI policy. And that was created by an executive order signed in the early part of the administration. And it really placed a heavy emphasis on boosting innovation, building out data center infrastructure, promoting American technology abroad. The action plan was only 28 pages, but it put forward a lot of policy actions for near-term execution by the federal government, and a lot of it regarding data centers revolves around excluding from or giving exemptions from

[00:29:31] federal environmental regulations and allowing expedited permitting. A lot of those subsequent actions haven't really gone online yet, so to speak. We're in early December, but they're very serious about this. And at a certain point, I think we're going to quickly see all these other details. And I'm sure there will be litigation over it from the state, local level throughout the country regarding some of this. But some of it will stick. And it'll just be a matter of to what extent. And so there was another executive order on this signed in late July at this unveiling event that would facilitate the rapid and efficient build out of data center infrastructure.

[00:30:11] A lot of these EOs, though, require these agencies to come out with guidance and propose regulations. And a lot of that, almost all of that has not happened yet from this July EO. So we're still waiting on what the actual details will be in those timelines. And then a very recent thing, just to end with, the last week or two, there was discussion.

[00:30:31] Someone got their hands on a draft executive order regarding preempting state AI regulations. And this hasn't been published yet. And it's very interesting to note the timing of it. But basically, it would

consolidate a lot of power over one individual within the Trump administration who's sort of been heading AI data center efforts.

[00:30:53] A businessman who's originally from South Africa. He's not Elon Musk. He's a separate billionaire businessman from South Africa who's a temporary special government employee. So he's officially in the White House. And it would basically, the language would threaten state governments by withholding all federal funding if they didn't meet certain criteria that would inhibit the development of data centers and AI in their states.

[00:31:20] Got a lot of controversy, again, has not been published yet. From what we've been hearing, there's an effort underway on the Hill to include this type of language in the National Defense Authorization Act to preempt state regulations on AI. Um, and so that's sort of, I think, led to the delay of the NDAA text coming out. It was supposed to come out yesterday. It still hasn't been released yet. And I think the Trump administration is waiting to see if that language could survive in the NDAA, because if it can't, I think they will publish this executive order. Um, and I think their main legal argument is that this is an interstate commerce issue. And so the federal government should have total control over

[00:31:59] this. I think a lot of states would have a difference of opinion on that. And there'll be litigation over it very quickly thereafter um but that is a real thing that they are moving aggressively on and um we'll just see sort of how it plays out what the response will be so with that um we are happy to take any questions from you on what we just discussed well thank you very much uh to mark with naco and obviously the ferguson group uh some of the language mentioned there's there's a lot to take in but a couple of things with the transportation funding That's very worrisome, obviously, here through Fairfax County.

[00:32:33] And then to touch on our Fairfax workforce, obviously, the impacts continue to happen here to our residents. Obviously, as you mentioned, Zach, you know, it's hard to find a neighbor, a friend, or a family member who hasn't been impacted by cuts both to the federal workforce and to contractors.

[00:32:49] So, obviously, something that we want to continue to work on. I know that our supervisors here in Fairfax County have all stepped up. we have pushed out resources. We've talked about and done job fairs. We've looked at different ways in which we can help those that currently don't have a job, especially as we come to the holidays, it becomes increasingly difficult for so many families. But one quick question. So where are the biggest federal policy risks that we can expect in 2026 as we come to the end of the year

[00:33:20] start in January? Biggest policy risk. That's a great question. I think there is, well, to get into one specific area, but I think it's indicative of what could happen on a broader scale. To what Mark was outlining at the beginning of the presentation, there's sort of this broader effort to dismantle parts of the federal government that puts the onus on local governments.

[00:33:48] The citizens of Fairfax County, you know, they are accustomed to certain things being the course of business. And so there's an expectation things will continue on in many, many regards. And so the biggest risk, I would say, is a continuation of that, but even more aggressively so into 2026.

[00:34:06] So like the surface transportation reauthorization, as an example, the infrastructure law from 2021 pumps so much money into all these competitive new grant programs that go directly to local and county governments. And a lot of that could be in jeopardy in this new surface transportation reauthorization. That's not to say that they'll be entirely eliminated, but there could be tweaks made in a

way that give more authority or more control to state governments, state DOTs, rather than Fairfax County itself, or that just do away with funding altogether because the current administration wants to spend less money writ large, and that has trickle-down impacts. So

[00:34:43] basically that across the board, it's not just transportation, it's on social services, you know, nutrition assistance. It's all of these things that county governments rely on, you know, that could be in jeopardy in a more aggressive way. Well, thank you for that. And before I pass it over to the chairman, I just want to say that for those who don't know, we have a very proactive response here to what's happening. So we plan on interacting with our, not only our delegation, but other members, committee members on the Hill. And so Fairfax County will be very proactive in fighting for our residents and the resources that Fairfax

[00:35:21] County needs. And with that, Mr. Chairman. Thank you. This is sobering, not unexpected. Many of us in this room have been sounding the alarm bells about how these federal cuts and really attack on our federal workforce and contractors is affecting Fairfax County. And we're going to later this afternoon have a budget presentation, a fiscal forecast for next year where it's very clear, very clear that your presentation has a direct correlation to the county's budget forecast next year, which is a travesty considering Virginia is the most affected

[00:35:58] state in the nation and its leadership supported the things that are happening in this presentation. I think that's why we saw what happened in the election a month ago. But I do have a couple of questions. First, on the slide about SNAP, the 10 states where counties administer SNAP, is there a fundamental reason or common thread between those 10 states as to why those 10 states have counties administer SNAP? I know in Virginia we've been doing that for a long time. I'm really questioning whether long term that's a good decision for Virginia and whether

[00:36:36] we should be talking to our Virginia officials about having the state administer this program. And the reason I ask that question is obviously when the benefits are reduced and the county is administering the program, the recipients believe the county is failing the SNAP population.

[00:36:52] And so is there a common thread? And from your standpoint, are there any states that are going back among these 10 and requesting that the states take over this program, the administration of it? There's no unifying thread, but what you indicated is a bit of a common thread, which is this is the way we've always done it.

[00:37:13] And in some states, the counties are delivering these services effectively. And if the responsibility to do so was no longer with the county, those counties believe that they would no longer be able to deliver the services effectively in all 10 states, including Virginia.

[00:37:37] It is a bit of a partnership between the states and local governments. I would look at Minnesota as an indicator of what the future might be that Minnesota counties administer both SNAP and Medicaid, but there is a lot of talk about reforming that system really due to the outdated technology that they have in the state.

[00:38:05] And if the state were to overhaul the technology side of the benefit delivery system, that they would perhaps take over the administration of it as well. And to answer the previous question about policy risks, Congress has the ability to do reconciliation again.

[00:38:27] And we have no indication that they would reverse the types of policies that they did in the first reconciliation bill. So this might continue, and one area of that continuation might be to shift more costs for SNAP and Medicaid onto local governments.

[00:38:47] To say nothing of the fact that the current federal funding expires on January 30th. So we could be in another federal government shutdown very quickly. And we talked about the big shift as this kind of hypothetical FY27-28 issue, but the federal government shutdown was the big shift immediately.

[00:39:07] Fairfax County, counties in this region, supplemented food banks. They provided federal benefits in a way that the federal government wasn't able to. We had counties who were paying air traffic controllers and TSA workers out of their own county budgets feeding those workers so that their airports could stay open.

[00:39:28] I mean, that, if we're talking about shifting federalism, the risk is that it will continue to shift in more dramatic ways. Yeah, I think that's fair, and that's, you know, we sit in this no-good-deed-goes-unpunished environment right now because one of the recommendations for some of the tradeoffs is raising local taxes or fees.

[00:39:48] And obviously, because of the presentation you just gave, our ability to do that is severely constrained because of all the other chaos that's happening in Washington, D.C. and what's happening to our workforce. One last question for you on the transportation funding.

[00:40:04] You mentioned the transit funds related to the Highway Trust Fund. You did not mention specifically the Federal Transit Administration. And obviously with our Richmond Highway BRT project, that project doesn't happen without FTA funding.

[00:40:22] And so is there a direct correlation between what's happening with Federal Highway Administration transit funding and particular projects that are in the pipeline to be FTA funded? And welcome you guys to weigh in as well if you want.

[00:40:39] But I would say yes. The FTA is currently operating under advanced funding right now. was provided back with the IIJA. I believe the FTA has advanced funding, I think, through the end of September in 2026 right now. So the FTA, even during the most recent government shutdown, wasn't really overly impacted by the lack of funding because they did have advanced funding.

[00:41:07] But no, I would certainly expect that should the administration make more moves to cut a lot lot of these transit funds. We could see a lot of those local impacts on these projects here in Fairfax. The thing that, like I mentioned in the presentation, that I think is important is Chairman Graves of the House T&I Committee. He very kind of quickly moved and came out and expressed opposition to this. And so obviously with the current environment that we're in, in the White House, you know, they've shown a willingness to just, you know, try to sometimes bulldoze their way through things and do what they want. But when it comes to transportation

[00:41:42] reauthorization. Chairman Graves has, I think, really, you know, tried to kind of settle down some of those concerns pretty quickly. And so we'll continue to watch it. Right now, there doesn't seem to be indication or movement that they're going to try to move past Congress and just kind of do this on their own with cutting these funds. But again, you can't necessarily say for sure it's going to be ruled out. Yeah, thank you for that. I just, I see Martha here and Noelle here. I don't need this question answered here, but

in light of what's going on with some of the environmental grant programs and how they've been truncated significantly, we need to be looking at and

[00:42:20] anticipating the possibility that was just mentioned. This project is already being constructed. And so I think we need to be looking very carefully at our schedule and just making sure that we're expediting every piece of it that we possibly can so that we don't run out o'clock potentially that could be set specifically on the FTA new starts in federal transit program grants. So this is just an important moment just to make sure we don't miss a window unintended and that we're doing everything we can on the county side to expedite

[00:42:54] the project funding delivery for that BRT system. So thank you. Mr. Chairman, if I may, Noel Dominguez, Department of Transportation. I do want to note that while you mentioned And our biggest project receiving federal funds, and we're planning on receiving federal funds, is the one, the BRT project on Richmond Highway.

[00:43:13] We also recently did receive a discretionary grant for some new buses for the connector. However, we generally don't receive a lot of federal funding for the connector beyond those two. We had planned on changing things, so we are keeping a close eye. But the other part of that where we're getting the federal funds is through WMATA.

[00:43:30] And WMATA is, as we all know, integral to the region. And so that's another way we will be keeping a close eye is the funds that flow to WMATA. Yeah, I think the operating cost piece and the federal money that we get for what is already operating is important. The reason I bring up the BRT project specifically is because it is a singular project that needs the largest share of money and cannot happen without that money.

[00:43:54] I mean, if there's reductions in federal transit monies coming to Connector and to WMATA, obviously you can curtail service and deal with things related to that real time year to year. But if the project funding doesn't come in for the BRT project, we cannot construct it. And it is the largest dollar figure. And so I just want to make sure we're cognizant of that. I know we are. I just want to make sure that we're expediting everything that we can. I will add to Mr.

[00:44:19] Chairman quickly that this will be another interesting thread to watch with the surface transportation reauthorization. One of the unique things they did in the 2021 reauthorization was provide a lot of these advanced funds to a lot of transportation programs and agencies, which has given them a lot of kind of surety here over the last five years, like I just mentioned with the FTA. The FTA pretty much kind of operated uninterrupted at times during the federal government shutdown. And so I think that will be another question here to watch going into next year's surface transportation reauthorization is what is the willingness of the White House or

[00:44:55] congressional Republicans to include, you know, these advanced funds. Because even though there have been programs that they maybe haven't always liked in it, I'll note that the White House, you know, they and the Department of Transportation put out the NOFO recently for the BUILD grant that was issued last week. And the BUILD grant is a program right now that is operating, again, under those advanced funds that were provided in the IIJA. So we'll continue to watch that as well moving into next year. Wonderful. Thank you, Mr. Chairman. Moving forward, we're going to open it up for questions. Please limit it to one question. Give it our time. If you have more questions, please feel free to send in any additional questions. We're going to start

[00:45:33] with Supervisor Alcorn, followed by Supervisor Lust, followed by Supervisor Bierman, before we move on to our second presentation. Thank you. One quick question for Mark. So, with everything going on, the federal government, you have our attention here, clearly. We got, you know, real issues that are a big concern. Are you seeing other counties around the country engaging on these issues as well? Are you seeing more interest in fly-ins and direct engagements? Could you comment on that? Absolutely, yes. So both around these SNAP and Medicaid issues, I'll touch on

[00:46:12] those and then briefly on the other issues. On SNAP and Medicaid, the 10 states where SNAP is administered at the county level, there's aggressive advocacy during the passage of H.R. 1. There continues to be aggressive advocacy around, for instance, the reauthorization of the farm bill where SNAP policy is generally made. At the same time, and this relates to Medicaid as well, there are counties that understand that it's really hard to unwind a law that's been past. And so there's also a lot of energy being devoted to innovation and contemplating how to

[00:46:50] deliver these programs more efficiently and effectively within the confines of the law as it is today. Of course, trying to modify some of the most harmful aspects of the law, but also trying to understand what the future might look like if you're unable to do that.

[00:47:08] So that is an increased area of engagement. And then on some of the issues that TFG mentioned around transportation, we've had county leaders all over the country come in to really try to clearly lay out that the system, the framework that the transportation, federal transportation funding is made needs to be tweaked.

[00:47:36] local governments receive basically 15% of federal formula dollars, but are twice as likely to own an asset that is structurally deficient. So there's a lack of balance there, and this is kind of a once-in-a-five-year opportunity to do so. The last issue which doesn't affect Fairfax County, thankfully, as much as others is disaster response mitigation and preparedness. This administration clearly wants to change the way that the federal government responds to disasters,

[00:48:08] everything from dissolving FEMA, which would be a stark and radical change in the federalism intergovernmental partnership, and other changes along the way too, which, you know, thankfully, this is not an every month issue in this county, but should FEMA go away, for instance, that would be something that you all would certainly need to consider in future years. Thank you. Supervisor, if I may. Just I also want to say that our Michael Beckett's in our Department of Human Family Services has been very engaged in watching this. So we are definitely on top of looking at

[00:48:45] how this will affect. A lot of it is banking on how the state chooses to do some of this. So that's another advocacy arm we've talked about in our state program. Supervisor Lusk. Thank you, Mr. Chairman. I'll just say very disconcerting what is being posed here with regard to the direct federal funds and the changes, I'll say the impacts to our residents are pretty severe and significant. So thinking about the federal government employees and also the contractors, but I think about on the human services side, this discussion on both Medicaid and SNAP,

[00:49:20] there's going to be real consequences in terms of people being able to have access to food and medical care. And this is very difficult to see happening, but acknowledge that there are things that we're going to need to do to protect and support our residents.

[00:49:39] The question I wanted to ask is, I think when you were, and this is for you, Mark, when you were discussing the delay to 2027, you made reference to the possibility of extending the delay to 2028, which I'm very, very supportive of.

[00:49:55] What is your thought in terms of the feasibility and the likelihood of that happening? I don't want to put a percentage on the feasibility, especially given the dynamics of this Congress right now. It's a very slim majority in the House, of course. So if there's another reconciliation bill, if, again, the Farm Bill is reauthorized at the end of this fiscal year in September, that is a place where this policy might be made. I would say that the feasibility

[00:50:30] of that being delayed further really depends on the intensity and the energetic engagement of counties nationwide, certainly from the 10 states that administer SNAP at the county level, but from the states that have error rates that are higher than 6%, which is many states.

[00:50:53] and that number that I said before, \$263 million in additional costs to provide the SNAP program in Virginia is unsustainable. It's unsustainable here. It's unsustainable in probably 30 other states too. And the collective advocacy, I think, of local and state governments nationwide are the thing that's going to move the needle. The opportunities to do so are at milestones along away. Again, we have another government funding bill that's expiring at the end of January.

[00:51:24] We have the farm bill. And then we have just the opportunity to attach this perhaps to another reconciliation bill if one takes shape. MR. Yeah, if I could just thank you for the work that you're doing, the advocacy, and I wish you great success in this undertaking. Thank you.

[00:51:41] MR. All right. We're going to have Mr. Bierman and then, finally, Mr. Stork, and then we're going to move on to our second presentation so we can try to catch up sometime. I'm actually going to ask a quick question about something that wasn't in here but that I'm concerned about, which is IDEA funding.

[00:52:00] We already know that, frankly, we've never received the funding for IDEA funding that we should have received when the whole thing was passed many, many years ago. But with lots of talk about eliminating the Department of Education and with a Secretary of Education. You didn't even know what it was. No, seriously, it was on tape. So my question is, are we at risk of losing further IDEA funding, or what is being done to protect that funding,

[00:52:33] which, by the way, helps people with challenges, and it really does not. Those challenges do not discriminate based on political affiliation, so I would hope that there were Republicans in Congress who would want to protect that funding? Yeah, so I'll just briefly say, you know, there was one of the early executive orders that explicitly called for the dismantling of the Department of Education. It was pretty clear. But of course, only Congress can abolish an existing

[00:53:04] department. So but having said that, just two, three weeks ago, Secretary McMahon announced an uncoupling, if you will, of funding, funding pots within the Department of Education and sort of sending it out to other existing departments. So, you know, funding for tribal education, they're sending over to the Department of the Interior. That's just one example. So they're trying to be, I think, creative in getting not just saying we're not spending any more money on these vital programs, but we're sending it to other agencies and we'll have a shell of the

[00:53:40] Department of Education remaining behind. But I mean, so on the IDEA funding front, I'm not sure where they would place that outside the Department of Education, but it is concerning. And we have to keep track of it. I will also say, you know, the amount of litigation over every single administrative effort that has impacts, ripple effects on federal funding, there has been a lot of litigation filed very quickly by local governments, by state governments.

[00:54:11] I'll give you an example. HUD is trying to do a very controversial change to the continuum of care program. that would be very, very, you know, very harmful. And just in the last week, a bunch of states and then just yesterday, seven local county governments throughout the country filed litigation saying this, you know, violates a number of federal laws and regulations.

[00:54:34] And so I think at the appropriate time, if something were to happen where that funding you reference is trying to be basically wiped out or restructured in a legal way, there will be folks who are well-organized who will file litigation to protect that funding. And a lot of them have been successful.

[00:54:50] We now have almost 11 months of litigation track record over the hundreds of executive orders that have been signed and all these moves. And it's not like no one will step up in defense of it. And that's what has to happen. That's what will very likely happen. Supervisor, I'll just quickly add that Virginia is only one of five states that administer that type of funding at the county level.

[00:55:12] So similar to what I said before, it's going to depend on the level of intensity from just a smaller group of counties that are fundamental in the delivery of those services. Thank you. Supervisor Stork, and then we will move on to our second presentation.

[00:55:31] Yeah, the page is a number, but it's the federal workforce page, and it's the last bullet. You estimate that as of November 18, 27,000 civil servants have left the federal workforce. Do you all have any – can you give us the source of the data and the dispersion of that?

[00:55:47] We've been tracking that, obviously, and focused on it as well, but we'd love to know what else you all are using to do that. Sure. So the direct primary source for that number was from the – I'm blanking on the full name of the organization, but for the Public Partnership, it's this organization that sort of does a lot of policy work on intergovernmental relations and funding streams for the federal government.

[00:56:12] And they're very well-regarded, and I don't know their exact way they deduced all of this, but I've seen that number sort of floating around from other organizations, but I can get you the more specific sources for that. If you could, and then looking for the dispersion, obviously the impact directly on Northern Virginia and Ffeveress County.

[00:56:31] Yes, absolutely. Thank you. Well, thank you again to the Ferguson Group and NACO for coming. Wonderful presentation, obviously somewhat worrisome presentation, but these numbers and information is something that we need to have as supervisors to inform our residents.

[00:56:49] So thank you very much. And with that, we will move on to our second presentation led by our legislative director, Jennifer Vanney, and her amazing team. And with that being said, I will pass it over to you, Jennifer. All right. Jennifer Vanney, legislative director.

[00:57:05] First, I want to introduce you to our new team member that some of you have not had the chance to meet. Lori Sims has joined as the deputy director this last month, and we are very excited to

have her as part of the team. So diving in, let's make up some time. The federal program, honestly, most of the things that you've heard over the last hour are what is highlighted in here. It's the changes we made this year to directly talk to the things that we're seeing happening at the federal level. So the highlighted bits are things that have been added or reemphasized, reworded in different ways based on the current environment. And so the first page, you'll see that we've

[00:57:41] opened with a little bit different of an introduction just to, again, emphasize our partnership and how when the federal government changes, it really does impact us in a very specific and particular way given our proximity. If you go into the page two, we're into the federal funding section. Again, as with the state, federal budgets are often the largest piece of legislation as in terms of impact um and so we just want to emphasize that the advocacy to protect state funds and the streams that come to us as localities um and so that's what these the

[00:58:18] highlighted and as well as these bullets are hitting on both in the support and opposed sections i will say we made an effort to also streamline this program as we did with the state program didn't kind of pull out some of the context and background information to really kind of streamline this as a communication tool to our delegation. Quickly moving on, one of the other big things that has been an ongoing thing in the tax and finance that has been a partnership with NACO is to continue to protect the preservation of the tax-exempt municipal bonds, which is a big tool we use for doing our public infrastructure. So I want to continue to put the emphasis that that

[00:58:56] continues to be protected. On page three, with federal facilities and employees, again, just to emphasize what they have said about the number of employees and federal contractors that have been impacted. We added some language in there around that to emphasize the impact it has to our county and our residents. Page four, I'm going to turn over to Noelle Dominguez.

[00:59:23] Mr. Chairman, on page four, we have the transit and surface transportation section. I specifically wanted to call out the first two bullets, which we don't have highlighted, but considering the discussion we had. The first is dedicated funding for WMATA. As part of IIJA and other bills in the past, we had the dedicated \$150 million. That is something we're going to have to keep a close eye on. I think that's something that could be, you know, under discussion. And then separately is the continued federal investment for fixed guideway capital. That's CIG. That is the funding that goes directly to, that we've applied for, for the BRT for the New Starts program. I do want to note with this one, that doesn't, that's not part of advanced authorization

[01:00:02] of the IIJA. That's kind of an annual appropriations is my understanding, so we will keep track on that as it moves on. The rest of these you've already seen before, CMAQ, discretionary grants, TIFIA, TOD, all those other programs we've talked to you in the past, but those first two are the two that I wanted to specifically call out. All right, going back on page five, page five and six, you'll see some new highlighted things around unmanned aircraft systems, which are drones, And this goes along with the changes we made in the state program around policies around drone use, especially when it comes to public safety.

[01:00:41] When you get to the energy and climate, as noted by the presentations around data centers and AI, we did include some new information, new language around the resiliency of power. emphasizing again our desire to support clean building, clean transportation, all those kind of things, as well as making sure we preserve that local authority over land use, especially when it's coming to data centers and things like that.

[01:01:09] So that's on page six and seven. Human services, which starts on page seven, again, we'll talk about that big shift and really try to lay that out here in the health and human services section to really go over the fiscal, both the fiscal responsibilities it's placing us, but also the administrative burden that wasn't accompanied with funding to do additional requirements and eligibility checks.

[01:01:34] If you keep going, we, on page eight, we added in a housing development section, just like we did in our state program to really emphasize the road to housing legislation that they said and the things that we support in that way. To really emphasize, again, we want to be partners when it comes to housing that's affordable and affordable housing development and so that page nine specifically hits the affordable housing sections of it as they've as the presentations noted there's been some conversations around how they plan to fund some of these homelessness and affordable housing that has some concerns so we definitely put in some affirmative statements on page nine

[01:02:13] but then on page 10 we also noted that the change there talked about around the continuum of care notice and the changing of that formula. Staff has been very engaged on that, and so we'll keep you updated as things happen there. The next section is health. Again, that goes into what we talked about with the big shift and the tax exemptions, and so we added some language in there around those things needing to stay and our continual support of the Affordable Care Act and all of its provisions. For new language, we're going to skip all the way to page 12,

[01:02:51] And there you'll see, again, we've added in a specific section around artificial intelligence and data centers, really emphasizing, again, that the localities need to have control over their signing, land use, and community standards, as well as opposing any federal preemption on AI to allow states and localities to really try to protect our citizens, given the rapid expansion and maybe misuse of AI being used with scams and different things like that.

[01:03:21] That is, I would say, the other big change I want to call your attention to is on page 14. In the economic development section, we called out some new language around small business innovation research and small business technology transfer and some other funding streams.

[01:03:41] This is specifically coming out of the economic development task force you all set up, and so we wanted to make note that we added some additional language into this program on that. And then one final thing on election security on page, it starts on page 14, goes into page 15.

[01:03:58] There has been some talk about eliminating grants for election security. That has, the House and the Senate do not seem open to that, but we did put it in the program to say that we fully support these, and this is a local issue, and the funding needs to stay there since we are the ones who are administering those elections.

[01:04:16] So there's some additional highlights on page 16 around homeland security, land use, and libraries, but most of it is not new information. It's just things that we've emphasized in a different way in this program. Thank you so much, Jennifer, and your awesome team for giving us that update.

[01:04:44] For the sake of time, given the time I'm going to pass it over to the chairman, I will now look around at my colleagues for any questions, starting with the end row. Does anyone have a question or comment? Mr. Bierman, followed by Supervisor Luss. And then we will move on to our third presentation.

[01:05:01] In a way, it's a question that sets you up for the next presentation. So on AI and data centers, I didn't see in our state legislative package much about AI regulation at the state level.

[01:05:23] But the question, which you can answer in the next presentation, is are there any state bills out there that are similar to, say, the RAISE Act, which was just introduced in New York, which puts in place certain regulations where AI companies need to publish and talk about their safety protocols, publish serious safety incidents, and just set certain guard rails?

[01:05:50] I think everyone around this table, we sat here at economic development presentations, and we all potentially see lots of positive power in AI. But if you think that AI can cure cancer, you also probably think AI can create a bioweapon.

[01:06:05] So, you know, we want to be able to make sure that we are supporting responsible guardrails down the line while also supporting the businesses that work here in Fairfax County. Thanks. Absolutely. Chairman, if I may, I would say that the state has been very interested in that. The last several years, there's been two bills that we've been actively monitoring and participating with VACO and VML in providing feedback, one of which is that more public one that puts it on the developers and what they have to do to provide safety for their users.

[01:06:41] The other one is private and what is public and what localities and state, we've expressed our concern around too much requirements around localities. And so it's starting mostly at the state level, but putting some guardrails or trying to set those guardrails.

[01:06:58] Those bills have both, I believe they've either been filed or will be filed again this year. As long as a new one that is kind of taking the place of the efforts the last several years around protecting youth on social media and the one that passed last year around limiting access around the addictive feed for children under 16.

[01:07:19] A similar bill is being discussed, and we haven't seen language, but is being discussed around the use of chatbots for younger children, especially around some of the concerning situations where we've seen them use them as therapists, essentially.

[01:07:36] Thank you. Thank you, Supervisor Bierman, Supervisor Lusk. Okay, thank you as well. My question is on the federal facilities and employees section. Just thinking through the impacts, and we know how brave there are, and we're going to start to see numbers, I guess, over time as it relates to the actual job loss here in Fairfax as well as contractor job loss.

[01:08:01] But specifically asking here, are there any programs or initiatives that we could have the federal government think about to assist those who have been displaced by the cuts that have been made at the federal government level?

[01:08:19] I think we should have them help us solve a problem that, in essence, has been created by them. They don't care. As you, the chairman. Advocate for that, where I'm going.

[01:08:37] I think that kind of, we definitely have that in our state program. A lot of the effort's being made as a state. I would say that we have language in here that would allow us to do that. Again, because of the way that Congress works as a two-year cycle, We don't get as specific in our federal program and kind of lay out priorities, but we definitely have it in the oppose section where it says, that first bullet says continued hazard, opposes continued hazard cuts to federal employment, mass layoffs, and or buyouts that destabilize local economies and jeopardize federal services.

[01:09:10] And so I do think we have, we have language and principles in here that would allow us to do that advocacy, but I would probably say I agree with the chairman's comments that I'm not sure that would be a winning battle.

[01:09:25] I'm just making the point that the problem has been caused by them. We need a solution to help us in that regard and put it before them and have them shoot it down if that's what they choose to do. And then next-- May I make one quick point about that?

[01:09:41] Sure. The very first line of this package says, as Congress finalizes federal fund spending decisions for fiscal year 2026 and initiates work on fiscal year 2027 funding. Fairfax County acknowledges the fiscal challenges facing the federal government.

[01:09:56] Fiscal challenges created by the federal government. Fiscal challenges created by the Trump administration, created by HB1. So don't love that line. Don't know whether we need to change it. But that's all. Sorry. No.

[01:10:12] That's perfectly fine. And then the next one, and I appreciate this inclusion of the additional language in the economic development section that talks about the grants SBIR and STTRs, the thing I wanted to ask is if we would consider also adding language that would increase access to angel and or early stage venture capital investment.

[01:10:41] So I'm going to make the point here that this is the way that we're going to be able to help form new companies, and we're going to be able to help move us to a place where we're going to get additional investment here in Fairfax County, job creation, as well as tax revenues, and we can see what the projections are in terms of what our obligations are going to be, so I would argue that this could be something that would be helpful in doing that.

[01:11:08] We'll take a look at that, sir. Thank you, Supervisor Luss. And with that, I'll close. Thank you. Thank you, sir. And with that, we will move on. Director Janee, you would like to start the third and final presentation? Perfect. So there are three kind of categories of changes we've made to the state program since you've seen it last.

[01:11:29] The first is we worked with OPA to put in those new visualization pieces we talked about last time and really focus in on creating a visually appealing program. The second is that we finalized the language around housing on page 5, 14, and 15, and we can look at that, but that's all been work done by the housing task force that you all set up.

[01:11:51] And then we also did incorporate two changes coming out of the public hearing. One is on page 11 around invasive species management, and one is on page 15 around housing for generations and calling out older supports for older adults. So those are kind of the highlights, but as we can go ahead and walk through some of the big things, again, on 5, I would just emphasize our continued priorities of K-12 funding, WMATA and regional transit funding, looking for ways that the state can help our economy

[01:12:28] and our workforce with some of the changes that they're feeling, as well as looking at ways to partner together on housing. So those being kind of the big four, along with the other several that are listed on this page, but those being our really big areas we're looking to push on. On page seven, I'll let Noelle Dominguez talk about the update we made to the transportation section. Sorry, took a second for that to turn on. Mr. Chairman, down in the middle of page seven,

[01:13:03] we did, I think at the last meeting, we talked about all the stuff that's going on at the state level with smart scale, with merit. We included a line about maintaining equitable, efficient, and sustainable funding to ensure an appropriate balance between performance and benefits and cost.

[01:13:20] That comes up because, as we've talked about in the past, cost always seems to hit us when it comes to smart scale. Also, the state came out with their merit recommendations, and I think a lot of us feel that they're not ready for prime time. Our director sent a letter asking for them to hold off and take some more time to look at it, as did a lot of other agencies up here.

[01:13:41] So this just kind of focuses on that, that they need more time to look at that, but they also need to be aware that our costs are just higher up here. Thank you, Noelle. There is a slight change on page eight in the theme of shifting.

[01:13:59] We have seen some changes in the way the departments are allocating some of the CSB And so I wanted to call that out as wanting to remind the state that we need to keep the allocation, just like with K-12 funding, fair across the state.

[01:14:18] Again, the next big thing would be on page 13. On page 11, we did add some language per Supervisor Lusk's comments around small businesses including trades onto that section.

[01:14:34] And then on page 13, there's some new highlighted language. It's the same language you saw as last time. The state has been studying the child welfare system and specifically foster care. And there's a report due out called the McKinsey Report. It was due out this month. We have not seen it.

[01:14:50] We do know that it's with the administration, so it has been completed, but they have not shared it publicly yet. So we wanted to make sure we had language in there so that we have places to address that should legislation come out of that report. And then again, the big changes are on page 14 and 15 around housing. And what we're asking from the state as well as what we're saying, please keep hands off when it comes to local authority and zoning and development. So both ways that they can be helpful in ways that we feel like we're the most helpful in. And then in the supporting vulnerable populations, again,

[01:15:26] you'll see that new language since the public hearing around tenant protections across generations, including older adults. And then we added in the number that the advocacy groups have all agreed on and joined together about what the funding level we'd like to see in the Virginia Housing Trust Fund. And with that is the end of all the new highlighted sections.

[01:15:50] Well, thank you so much for this final presentation. I think some of the updates are just really important, you know, to highlight, too, the evasive specie language that was updated on page 11. I think it's going to be very helpful. I know a lot of groups came to my office. I'm looking for some additional language around that. So one of the things that I definitely want to let folks know is whenever we hear from our supervisor colleagues or our constituents, our residents, you know, we take that very seriously and we look to see how we can always improve this document as it is a living document on page 15. As you mentioned, Jennifer, the tenant

[01:16:27] protections we added in older adults. So that was another request that came from that community. And so we put it in through this language. So, you know, definitely listening very carefully to our residents and our communities as we process this program. With that being said, I'm going to pass it over to the chairman for any additional questions. Yeah, I have two questions. First, last week we got the

Weldon Cooper study presented to us. And I'm just wondering if there are threads from that that should be implemented into our packet, and I'm not asking specifically here,

[01:17:02] but I think if we're not taking a careful look at that and emphasizing some of the points in our legislative package that are based on that study, we're missing an opportunity. Definitely. We'll take a look at that. We haven't done a side-by-side on them yet, but we are definitely on the 16th when we come together for the works. Your work session with the delegation will be emphasizing that, so we'll also do a walkthrough and see if we need to strengthen any language in the program before your adoption next week?

[01:17:27] Yeah, I think that's critical, and maybe it's part of the overview. Some graphs or some images in here that, I mean, this is fresh off the presses. We know that when half a dollar comes back to Fairfax County that was generated in Fairfax County from the state, that underlies most of the financial pain that we have.

[01:17:46] And I think we need to take advantage of this opportunity to emphasize that. The second question that I have is we've heard from the EDA, And this would be something to think about under page 11, Economic and Workforce Development. We've heard from the EDA that over the past four years, there's been massive deterioration between the relationship between the state and Northern Virginia's economic development authorities.

[01:18:14] So bad as to have documented evidence where the administration has steered companies who were looking to come into Fairfax County into other parts of the state. And so I think this is a moment in time with the new administration to reset our expectation that there be complete cooperation, especially in times of economic challenges, between the administration and local economic development authorities.

[01:18:43] We can name ours, but honestly, what we're talking about is the entire Northern Virginia region and cementing those relationships to grow Northern Virginia's economy. And I think we need to add that bullet. I'm not, I don't need it verbatim from what I just said, but I think we need to get that notion across in a bullet under the economic and workforce development.

[01:19:04] Thank you. Thank you, Mr. Chairman, and we're going to start at the end, Supervisor Lusk, and then we'll jump over to Supervisor Elk. Okay, thank you very much, Mr. Chairman. I'll just echo the comments of the chair on the economic development point.

[01:19:19] It is a significant one, and even I had worked there for 21 years, and as I was exiting to come to the Board of Supervisors, I saw in 2019 and 2020 where that shift was starting to happen. So unfortunately, it's gotten a lot worse. And the crazy thing is, we're the economic driver for the Commonwealth. It doesn't make sense for them to be doing the things that they're doing.

[01:19:43] But I think you're right, Mr. Sheriff. Let's try to get them to be a little more focused on our area specifically. So the question I have is on the housing section. I appreciate all the additional language that you've added here. What I'd like to maybe ask is, last evening, there was a meeting with residents of manufactured housing communities.

[01:20:07] So there was a pretty large discussion with over 78 members. They are very, very concerned about the ability to preserve the housing that they live in. And they're also very concerned about the effects of relocation and displacement.

[01:20:22] So I would like to ask if we would consider adding some language here in this document that would address the concern as it relates to, first, preservation of manufactured housing units, and then, second, with specific support for addressing relocation and displacement issues that would be attendant to those residents.

[01:20:47] We'll definitely take a look. Thank you. Supervisor Lusk. So with that, thank you. Alcorn. All right. Thank you, Mr. Chairman. I want to echo the comments made by you and Chairman McKay on several items.

[01:21:04] But I think it's not just the content of this. I actually really like this new format, and it's a lot easier to read. And, frankly, the presentation of some of the background information is very helpful as well, and particularly given the audience we're trying to reach, this might actually get looked at.

[01:21:22] So I appreciate that very much. I did just want to remind the board, I sent an email out about this a couple weeks ago. I am going to be next Tuesday making an amendment to add one bullet to this legislative package that would oppose casino legislation in Richmond.

[01:21:41] So anyway, and I've got a copy of that if somebody didn't see it in the email. And anyway, just want to give everybody a heads up, but that would be next week because we obviously don't vote in committee. Well, thank you so much for that. Supervisor Alcorn will definitely be taking a look at.

[01:21:58] To my colleagues, before we wrap up, I see Mr. Bierman has his hand up. Is anyone over on my side have any additional comments? Mr. Chairman. Mr. Bierman, please go. Go ahead. Mr. Chairman, the other Mr. Chairman, Mr. Chairman McKay, the letter you sent about the casino last year, does it still hold?

[01:22:22] Absolutely. In fact, if anyone needs a copy of it, I just got a refreshed copy this morning of the letter that was dated January 26, 2024. And so, absolutely, it still holds unless there's a subsequent letter submitted. But I am wholly comfortable submitting the same letter that makes the same points that we've made every year.

[01:22:41] I'd just like to note it was January 27, 2025, the last letter. You said January 25. Yeah, and, you know, I read the letter again this morning. Got it. I, you know, look, it's a three-page letter. It's a two-and-a-half-page letter. You guys know I'm the lawyer, so I would have written a longer legal brief. But there seem to be at least eight points in it worth emphasizing because they're all still true and absolutely nothing has changed. The first thing, we didn't ask for this. Still not asking for it, guys. And we don't

[01:23:15] typically ask for things or ask for a referendum authority if we don't intend to use it. We haven't been involved in the concept, and we don't typically have Richmond telling us where within 1.5, sorry, within a quarter mile of an existing station or, you know, pigeonholing something to essentially several square miles out of a county of 400. The narrow location creates significant community concern. That's right in the letter. Yeah, really significant community concern.

[01:23:49] there's been no public engagement about this concept. That's still true today. We doubt it would pass a referendum at the moment. Yeah, there's polling out there that shows that 75% of Fairfax County residents are opposed to this, 50% strongly oppose it, 25% somewhat oppose it.

[01:24:11] That's from a poll by Global Strategy Group, which is important because that poll pollster also was the pollster for Abigail Spanberger, who just won a pretty big election and won by 47 points in Fairfax County. Of course, in this poll, opposition to the casino is actually up 52 points.

[01:24:32] It's up for 18 to 29-year-olds. Some people say casinos for young people, but 18 to 29-year-olds are opposed to this, 80 to 20, 55 plus 78 to 21. I love how this just brings the generations together. You know, we say that there's a terrible revenue split. That's still in this letter, still the case. Zero independent analysis. That's still the case too. There is a JLARC study from 2019. I actually read that study, so it was really interesting that on page 148 of that study,

[01:25:12] yeah, I do my reading, they pointed out that there were structured interviews with economic developers and officials from each of the five localities identified in SB 1126, Bristol, Danville, Norfolk, Portsmouth, and Richmond. Notably, there were no such interviews in Fairfax County, And this letter also says that the Silver Line Class A is doing pretty well, which I think it still is.

[01:25:36] So I'm just emphasizing that if this letter still holds, this letter makes a very, very strong statement about this situation where nothing has changed. And I'm sorry that I took a moment here to emphasize the key points in the letter, but I felt it was necessary.

[01:25:57] Thank you. Thank you, Mr. Behrman. We're going to go to Supervisor Luss to wrap this up. I'm going to say something about this, though, real quick. What I want to do is let's share, and I've talked to our team.

[01:26:13] I'm not saying let's not talk about this issue, but there's so many issues. And there's so many low-hanging fruit that we can help our residents in Fairfax County. If we push on the federal and we push on the state level, my idea is compromise.

[01:26:29] my idea is to work with our state delegation, not against them. It's to work with our federal partners. Again, this issue, I'm not trying to downplay it. I'm not saying it's not important. I'm just saying, as we look at the bigger picture, where I want to be at some point in the near future is somewhere where we are looking at transportation. We are looking at health care.

[01:26:52] We're looking at things that our residents need in front of them. And I really would love and look forward to the day one way or another that this conversation is over so we can get to work. That's what I want us to do. I want us to totally agree. Second. So with that being said, sorry, yeah, yeah, let me just, I just want to make a closing comment. It's unrelated to this because I, as Supervisor Beerman mentioned, the letter stands. There has not been a subsequent one. It is comprehensive. It was adopted by this entire board for good reason, but unrelated to the

[01:27:28] casino, but related to what Supervisor Ben has just said, you know, we have our joint meeting with our delegation. And the reason I asked about the Weldon Cooper study is we had a presentation here that started our day talking about the federal chaos and the direct effect on the county financially. We're going to end the day with a fiscal forecast that shows a struggling economy in Northern Virginia. And we need, we don't ask for the state's help very much. We fund the state.

[01:28:00] Fairfax County is the Commonwealth of Virginia's ATM machine. And that ATM machine is hurting for the first time really in our lifetimes. And so the state's attitude towards Fairfax County that they can just keep taking money from here with the fiscal challenges that we're facing and the challenges that our families are facing has to change. And if it doesn't change now with this administration, with what we know is going on in Washington, D.C., we will have missed a golden opportunity. So there are a lot of issues that affect people in the county. And we got to start

[01:28:34] talking at the high level and being bold about what these things are doing to real estate taxes in Fairfax County and our ability to continue to fund the Commonwealth's priorities. And that's why the Weldon Cooper study is important. That's why the school funding issue is so important. A JLARC study showing that Virginia is trailing most of the nation in education funding. We're an outlier because we fund our public education system. We cannot continue to do that with the federal erosion that we just heard today. And so this is a moment in time where we need a partnership with the Commonwealth of Virginia. Commonwealth doesn't always mean the wealth from Northern

[01:29:13] Virginia goes to other parts of the state. When you're in a commonwealth, it also means when you're struggling, the state has to help you. We know that they have a over, I can't even remember what the projected surplus was in the last presentation, but the state is sitting on a very large surplus right now. And if they care about long-term the state's financial stability, they have to shore up Northern Virginia. Because without Northern Virginia, Virginia is a very different state in every measure and every statistic. And so we can look at one-offs and gimmicks and things that they do at the state level, but there's a foundational problem here

[01:29:52] that is screaming at the Commonwealth of Virginia to try to address in partnership with localities that are suffering right now, because the ones that are suffering the most are the ones normally taken for granted that are on automatic economic development mode. And I think if we don't combine these things in a very clear way with our own delegation and with this new administration, all these things are pointing towards us. The General Assembly said, well, we do well on school funding, do an analysis to show what's happening, the school funding in Fairfax County. So the JLARC

[01:30:28] study was done. Their analysis proved our point. Then we had members of the General Assembly say, we're tired of you talking about only getting 50 cents back on the dollar or 19 or 22 cents in direct support from the state for every dollar that your residents pay into the Commonwealth of Virginia. Well, now we did a Weldon Cooper Center. Third party cemented that, said that's true.

[01:30:49] That's what's happening. And so the state is running out of excuses to not adequately fund vital services to localities and recognize the disparities that exist. There's no more studies left to be done. The only thing left to be done now is to have the courage to act. And that has to be the message with our delegation when we meet, or we're going to continue to be looking at cuts in our budgets, increased real estate taxes at a time where housing affordability is at its worst, and that trend will just continue. So I appreciate what Supervisor Menas said, because the big picture here can't be lost as we're looking at all the little things along the path

[01:31:28] towards the big picture. Thank you so much, Mr. Chairman. Mr. Stork, did you have one final comment or question? I was just going to echo the comments that were just made and the fact that if you see nothing else on page 11, you see where decrease in venture capital volume has gone down dramatically. Those are signs of alarm that we all are hearing. And I know the chairman just summarized that very well. But also I wanted to thank staff. I think this is a remarkable improvement over our previous ones, and I think it's one that really easily can be skimmed because it has key information in picture form, which could serve it up very easily

[01:32:07] for anybody who wants to take a quick look at it. So thank you very much, and thank you, Mr. Chairman, for getting this all done by 11 o'clock. Well, thank you. I'm going to say thank you to NACO.

Thank you so much to the Ferguson Group. Thank you to Jennifer Vanney and her amazing team for all of your hard work.

[01:32:23] I know how much work goes behind the scenes on doing this and how much prep that you have to do. So thank all of you. As a reminder, the board will vote on 2026 state and federal legislative programs at our meeting on December 9th. Our next gathering will be the work session with the General Assembly delegation on Tuesday, December 16th.

[01:32:41] Looking ahead, the first legislative committee of 2026 is scheduled for Friday, January 16th. So if there are no further comments from our members on this committee, the December meeting with the Board of Supervisors Legislative Committee is now adjourned.



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