

INTRODUCTION OF THE COMMUNITY CHARACTER ACT OF 2001

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing the Community Character Act of 2001. This legislation will provide state grants to develop or revise state land use plans and planning legislation that underpin local and state efforts to address public transit, affordable housing, environmental and other livability issues.

States, tribal governments, and native Hawaiian organizations would be eligible for grants of up to \$1,000,000 each upon application approval by the Secretary of the Department of Housing and Urban Development. Total appropriations would be limited to \$50 million each year. Applicants that receive grants would be required to provide 10 percent in matching funds. Funds may be used to obtain technical assistance in drafting land use planning legislation; carrying out research and development for planning programs; conducting workshops, educating and consulting for local officials and policy makers; and involving citizens in the planning process.

I submit the following letters of endorsement from the American Planning Association, National Association of Realtors, and the American Society of Landscape Architects to be included in the CONGRESSIONAL RECORD.

AMERICAN PLANNING ASSOCIATION,
Washington, DC, April 4, 2001.

Hon. EARL BLUMENAUER,
House of Representatives,
Washington, DC.

DEAR REP. BLUMENAUER: The American Planning Association is pleased to endorse the Community Character Act of 2001. APA is heartened by the introduction of this legislation and the assistance it would provide to the numerous states and communities struggling with the consequences of change, whether it be growth and development or economic decline. This legislation recognizes that the Federal government can, and should, be a constructive partner with those communities seeking innovative solutions to improving local quality of life through better planning and land use. APA, with more than 30,000 members, is the largest private organization working to promote planning for communities that effectively meets the needs of our people, now and in the future.

Planning is the single most effective way to deal with growth issues facing states and communities. Passage of the Community Character Act is among the most important and beneficial things Congress could do to help promote local solutions to such pressing issues as downtown revitalization, traffic congestion, urban sprawl and open space protection.

This legislation responds to widespread citizen interest in—smart growth by providing critical resources to help state and local political leaders, business and environmental interests, and others manage change. In a recent national voter survey, APA found that an overwhelming majority of Americans, regardless of political affiliation, geographic locale, or demographic group, believe Congress should take action to support state and local smart growth initiatives. Seventy-eight percent of those surveyed believe it is important for the 107th Congress to help communities solve problems associated with urban growth. Moreover, three-quarters of

voters also support providing incentives to help promote smart growth and improve planning.

The Community Character Act provides vital assistance to meet the serious challenge of reforming outdated planning statutes and supporting planning as the basis for smart growth. Currently, more than half the states are still operating under planning statutes devised in the 1920s. And, even in those states with updated planning laws, communities are struggling to find and implement tools to grow smarter and in ways consistent with the values and vision of the citizens. Thus far in 2001, twenty-seven governors have initiated some type smart growth proposals and there is pending legislative or executive activity related to planning, growth and land use in twenty-two states. This is happening in states as diverse as Oklahoma and New York, Montana and Massachusetts.

This bipartisan legislation would provide \$50 million to states, multi-state regional programs and tribal governments to assist in revising land use planning legislation and developing comprehensive plans. The bill is intended to support efforts to promote improved quality of life, economic development and community livability through planning reform. Grants could be used to obtain technical assistance and support for a state's review of growth and planning laws. Activities such as researching and drafting state legislation, conducting workshops, holding public forums, promoting regional cooperation and supporting state planning initiatives would qualify for federal assistance.

Under the Community Character Act states are encouraged to create a framework for smart growth planning, but the bill avoids dictating land use policies. In the best sense, it is a 'funded non-mandate.' The Community Character Act specifically acknowledges that land use planning is rightfully a local and state prerogative. The bill seeks to encourage states to provide their cities, towns, counties and regions with innovative and updated tools for managing the many challenges presented by growth. Communities would not be forced to pursue smart growth strategies but the legislation would provide assistance to those states that have chosen to do so. Grant guidelines call for comprehensive planning that coordinates transportation, housing and education with infrastructure investments and conserves historic, scenic and natural resources. The bill also acknowledges that it is the collective vision and values of citizens that should guide planning.

Land use planning should not stop at arbitrary jurisdictional boundaries. This bill seeks to promote a vision of land use planning and resource management that works for regions by allowing multi-state regional project to qualify for funding. The legislation also encourages greater cooperation between local planning and federal land management planning. Additionally, the legislation recognizes and seeks to address the tremendous need for planning and community development by the nation's tribal governments.

This legislation promotes smart growth principles and encourages state to create or update the framework necessary for good planning. It creates a federal partnership with communities through incentives, not mandates. The bill does not mandate that states implement specific changes but rather seeks to support and inform that process once it is underway. This program is a small investment that will bring substantial dividends in improving the livability of cities, towns, and neighborhoods throughout the nation.

The American Planning Association applauds your outstanding leadership and vi-

sion in introducing the Community Character Act and urges the House of Representatives to enact this legislation.

Sincerely,

BRUCE MCCLENDON, FAICP
President.

NATIONAL ASSOCIATION OF REALTORS,
Washington, DC, April 3, 2001.

Hon. EARL BLUMENAUER,
Longworth House Office Building,
Washington, DC.

DEAR REPRESENTATIVE BLUMENAUER: On behalf of its more than 760,000 members, the NATIONAL ASSOCIATION OF REALTORS® (NAR) supports your introduction of the Community Character Act, which would provide grants to assist state governments in developing or updating their land use planning legislation.

NAR supports this bill because it: Recognizes that land use planning is rightfully a State and local government function; provides needed assistance to states and localities to better plan for inevitable growth; requires that planning performed under this Act must provide for housing opportunity and choice and promote affordable housing; promotes improved quality of life, sustainable economic development, and protection of the environment.

In adopting our Smart Growth principles, NAR recognized that property owners, homebuyers, and REALTORS® have a great deal at stake in the debate over livability and growth. REALTORS® are outspoken advocates for policies that preserve housing choice and affordability while protecting and improving the quality of life of our communities.

It is our experience that when communities have not planned for growth, they may overreact to growth pressures by adopting excessive regulations that distort real estate markets and make homeownership less attainable. Planning in advance to accommodate growth and protect the quality of life is the better approach, and the Community Character Act would promote this needed planning.

We commend your efforts in introducing the Community Character Act and we look forward to working with you toward its adoption.

Sincerely,

LEE L. VERSTANDIG,
Senior Vice President,
Government Affairs.

AMERICAN SOCIETY OF
LANDSCAPE ARCHITECTS,
Washington, DC, April 3, 2001.

Hon. EARL BLUMENAUER,
Longworth Building,
Washington, DC.

DEAR CONGRESSMAN BLUMENAUER: On behalf of the American Society of Landscape Architects (ASLA) and its 14,000 members, I'm writing to convey my strong endorsement of "The Community Character Act" (CCA) you have sponsored. ASLA applauds your leadership in promoting legislation that will support state and tribal efforts to develop and update land use plans.

ASLA supports the Community Character Act as an effective tool to promote more livable communities and stewardship of the natural environment, both of which are important aspects of the landscape architecture profession.

Americans are increasingly aware and concerned about the byproducts of unmanaged growth—loss of open space, congestion, strip malls, and loss of ecological biodiversity—as clearly indicated by surveys and the passage of numerous local ballot initiatives to address growth. CCA responds to these concerns by authorizing funding assistance to

states and tribal governments that request help in implementing their respective visions of sustainability.

In addition to minimizing some of the harmful impacts that unplanned development can have on local and regional ecosystems, good planning and design makes smart business sense. Planning and design help to create communities with character—places where people want to be. As more people are attracted to such places—both residents and tourists—local economies flourish.

CCA has garnered bipartisan support, as well as the endorsement of a broad array of organizations, including planners, conservationists, preservationists, and the National Association of Realtors.

Thank you again for your sponsorship of “The Community Character Act” and your continued commitment to enhancing more livable communities across America. I look forward to working with you to enact this legislation.

Sincerely,

NANCY C. SOMERVILLE,
Executive Director.

SMART GROWTH AMERICA,
Washington, DC, April 4, 2001.

Hon. EARL BLUMENAUER

Hon. WAYNE GILCREST,

House of Representatives,

Washington, DC.

DEAR REPRESENTATIVE BLUMENAUER AND REPRESENTATIVE GILCREST: Smart Growth America would like to commend you on the introduction of the Community Character Act of 2001. We support both the bill and your efforts to assist states, multi-state regions and tribal governments in their efforts to revise their land use planning legislation and develop comprehensive plans.

Planning for future growth and directing development so that it strengthens existing communities while building upon their physical, cultural historical assets is integral to smart growth. We applaud your foresight and willingness to help states, tribal government and regions in their ongoing efforts to achieve smart growth by coordinating transportation, housing and education infrastructure investments while conserving historic, scenic and natural resources.

The Community Character Act makes the federal government a partner in the ongoing efforts of states, regions and tribal governments that want to plan for future growth. We applaud your efforts and look forward to working with you to pass this timely legislation.

Sincerely,

DON CHEN,
Director,
Smart Growth America.

DISTRICT OF COLUMBIA COLLEGE
ACCESS ACT TECHNICAL COR-
RECTIONS ACT OF 2001

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Ms. NORTON. Mr. Speaker, today, I am pleased to introduce the District of Columbia College Access Act Technical Corrections Act of 2001. I am particularly pleased and appreciative to be joined by my colleagues, D.C. Subcommittee Chair CONNIE MORELLA and former Chair TOM DAVIS, who are original cosponsors of this bill and were original cosponsors of the landmark College Access Act that has proved so successful.

This bill is necessary to correct three problems that have arisen in the administration of the District's Tuition Assistance Grant Program, authorized in 1999 with the passage of the District of Columbia College Access Act. The Act allows D.C. residents in-state tuition at public colleges and universities nationwide or a \$2500 stipend at private colleges and universities in the region.

First, the bill amends the College Access Act to remove a provision limiting the benefits of the Act to residents who graduated from high school before January 1, 1998. The bill would allow current college seniors and a smaller group of juniors who are presently excluded from the program, but are otherwise eligible for College Access Act benefits to receive those benefits. The arbitrary cutoff date, which was not included in the bill passed by the House, was put in the bill in the Senate out of concern that there might not be enough money to cover all eligible students. Fortunately, the evidence does not support this assumption, allowing the students eligible in the original House bill to be funded. The District has received over 3500 applications and placed over 1600 students at colleges and universities across the country. The program's \$17 million appropriation was originally derived with the assumption that current college juniors and seniors would indeed qualify, and the program currently has the funds to allow these students to participate. It is inherently unfair for D.C. residents who are college freshmen and sophomores to get the benefit, while students who are juniors and seniors do not.

Second, the bill removes the arbitrary three year deadline for college admission in order to be eligible for the benefits in the College Access Act. The bill as passed in the House never intended to deny in-state tuition to students who had to work after high school or who have decided to get a college degree later in life. The three year deadline language was also placed in the Act by the Senate to control the cost of the program. However, the District has done a study of the data and it is clear that it has the funds to include these students in the program. It is unfair to penalize otherwise eligible students because their life circumstances necessitated that they work before entering college. The Congress should applaud and encourage these students. The Department of Education, for example, does not place a similar constraint on its programs.

Third, the bill closes the loophole that currently allows foreign nationals who live in the District to receive the benefits of the Act. The congressional intent of the bill was to provide state university system-type higher education options to D.C. residents, not foreign nationals who happen to live in the District. Most of these students already have the option to take advantage of their own country's higher educational systems. The bill merely mirrors the Department of Education's own statutory requirements on this matter.

The positive impact of the College Access Act on the District of Columbia has been extraordinary. For the first time, D.C. students have the same higher educational choices available to them as residents of the fifty states. This bill seeks only to include those who were arbitrarily left out of the Act from receiving these benefits.

The end of the current school year is rapidly approaching and current college seniors will begin to graduate in May. Because of the ne-

cessity for swift passage and the non-controversial nature of this bill, I am asking Chairwoman MORELLA to seek to have the bill placed on the suspension calendar as soon as we return from recess.

I urge all of my colleagues to support this important, noncontroversial measure.

ELEMENTARY AND SECONDARY
COUNSELING IMPROVEMENT ACT

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 4, 2001

Mrs. ROUKEMA. Mr. Speaker, today I am introducing the Elementary and Secondary Counseling Improvement Act, legislation to provide for elementary and secondary school counseling programs. The epidemic of school shootings across the nation exemplifies the urgent need for school-based mental health services for our youth. Many youth who may be headed toward school violence or other tragedies can be helped if we identify their early symptoms.

The lack of mental health interventions can produce devastating results for children, including disrupted social and educational development, academic failure, substance abuse problems, or juvenile justice system involvement. The bottom line is that we need to identify and treat mental illness in youth at its earliest stages.

In January, Dr. David Satcher, the Surgeon General, released a National Action Agenda for Children's Mental Health, in which it was found that the nation is facing a public crisis in mental health for children and adolescents. According to the report, while one in ten children and adolescents suffer from mental illness severe enough to cause some level of impairment, fewer than one in five of these children receive needed treatment. Dr. Satcher urged that “we must educate all persons who are involved in the care of children on how to identify early indicators for potential mental health problems.”

According to Dr. Satcher, “the burden of suffering by children with mental health needs and their families has created a health crisis in this country. Growing numbers of children are suffering needlessly because their emotional, behavioral, and developmental needs are not being met by the very institutions and systems that were created to take care of them.”

We must ensure that children with mental health needs are identified early and provided with the services they so desperately need to help them succeed in school and become healthy and contributing members of society.

Providing mental health services in schools is a wise long-term, cost-effective approach to reducing youth violence, developing a positive school environment, increasing student achievement and improving the overall well-being of our nation's youth. Schools provide a tremendous opportunity to identify potential mental health problems in children. Children spend a high percentage of their time in school, especially during their critical years of learning and development.

Teachers and other school professionals have the chance to identify potential problems and get children the help they need. Schools can provide underserved youth with or at-risk