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## California Capitol Hill Bulletin

### Volume 14, Bulletin 10 – March 16, 2007

*To expand communications between Washington and California, the California Institute provides periodic news bulletins regarding current activity on Capitol Hill that directly impacts the state. Bulletins are published weekly during sessions of Congress, and occasionally during other periods.*

#### DELEGATION URGES COMPENSATION FROM DOE FOR OVERDUE ELK HILLS REIMBURSEMENT

A bipartisan group of 20 California members, led by Rep. Kevin McCarthy (Bakersfield) sent a letter on March 16, 2007 to the House Energy and Water Appropriations Committee requesting \$9.7 million in funding due California for the California State Teachers Retirement System under the Settlement Agreement regarding the Elk Hills Naval Petroleum Reserve.

In 1996, Congress acknowledged the State of California's longstanding claims to lands located within the Reserve by setting aside a portion of the proceeds from the sale of Elk Hills to settle the State's claims and directing the Secretary of Energy to negotiate a settlement of the State's claims. The Settlement Agreement obligated the Federal Government to pay 9 percent of the sales proceeds as compensation to the State in installments. The Government subsequently sold the Elk Hills Reserve for over \$3.5 billion and, in compliance with the Settlement, Congress appropriated seven annual \$36 million installments, and in 2006 appropriated \$48 million in the Energy and Water Development Appropriations bill.

In February 2005, the Attorney General of California sent a letter to the Department of Energy, agreeing to the Department of Energy's request to deduct certain divestment costs related to the 1997 sale of the Elk Hills field. In the same letter, however, California disagreed with other requested cost deductions and, after taking into account other factors, estimated that the Elk Hills School Lands Fund balance was approximately \$9.71 million, which was payable to California.

The delegation letter urges the appropriation of no less than \$9.7 million for FY 2008 to pay California the Elk Hills compensation due. It also requests that report language be included acknowledging that future appropriations payments will be necessary when the equity finalization process under the Settlement is completed, and directing the Department of Energy to work expeditiously to

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resolve outstanding issues related to the equity finalization process so that a final appropriation can be made in FY 2009.

## HEARING COVERS STRATEGIES FOR FUTURE BORDER SECURITY

On March 8, 2007 the House Homeland Security's Subcommittee on Border, Maritime, and Global Counterterrorism held a hearing to discuss border security efforts currently underway and those planned for the future. As laws continue to be violated and violence increases at America's borders, Chairwoman Loretta Sanchez (Anaheim) said the Committee will continue its efforts to find solutions.

Chairwoman Sanchez outlined the most pressing issues facing the committee:

- Fence structure and barrier construction at the border
- Effective technology use for security matters
- Challenges in recruitment, training, and retention of border agents
- Integrating services of the Coast Guard and Border Patrol, and
- Maximizing relationships with both Canada and Mexico

Dr. Jeffrey McIlwain, Co-Director of the Homeland Security Program at San Diego State University, offered an assessment of border security using his knowledge of the San Diego region as a case study. He urged the committee to stay very aware of the numerous and varied threats to both land and sea borders. McIlwain stressed that massive infrastructure and security needs would require a combined effort by the United States and its neighbors.

Michael O'Hanlon, a senior fellow of foreign policy studies at the Brookings Institution, emphasized the importance of information gathering and surveillance technology. He felt that such intelligence would contribute to prevention as the most important tier in any homeland security approach.

Michael Wermuth, Director of the Homeland Security Program at RAND, stated that risk must be used as the common measure in identifying credible threats as part of a comprehensive systematic approach to border security. He suggested a uniform "grand strategy" to integrate operational elements at all levels while placing less emphasis on individual programs until this overall architecture is set.

Andrew M. Ramirez, Chairman of the non-profit group Friends of the Border Patrol, called attention to shortfalls of current policy in addressing the needs of agents on the front lines. He encouraged the committee to develop a more even balance between commercial interests and national security, requiring a change to rules that prevent law enforcement officers from protecting themselves and doing their jobs effectively.

Find information for this hearing and witness statements online at:  
<http://homeland.house.gov/hearings/index.asp?ID=16>.

## HOUSE PANEL QUESTIONS MEXICAN TRUCK ACCESS TO U.S.

The House Transportation and Infrastructure Subcommittee on Highways and Transit held a hearing on March 13, 2007 to examine the Administration's proposed Cross Border Demonstration Project for United States and Mexican Trucking. The Subcommittee heard from the following witnesses: John H. Hill, Administrator, Federal Motor Carrier Safety Administration; Jeffrey N. Shane, Undersecretary of Transportation for Policy; Calvin L. Scovel, III, Inspector General, Transportation Department; James P. Hoffa, General President, International Brotherhood of Teamsters; Jackie Gillan, Vice President, Advocates for Highway and Auto Safety; and Mark Rogers, Safety Coordinator, State

Commercial Vehicles, Texas Department of Public Safety.

After U.S. and Mexico reached an agreement for U.S. inspectors to conduct safety audits on-site in Mexico, Secretary of Transportation Mary Peters announced on February 23, 2007, the start of a pilot program that would permit 100 Mexican trucking companies, selected by DOT, to conduct long-haul, cross-border operations. According to the subcommittee, DOT has long viewed this as the final step to opening the border to Mexican trucking companies under provisions contained in the NAFTA free trade agreement. The pilot program is supposed to provide reciprocal access for 100 U.S. companies to operate in Mexico. However, although about 860 applications for expanded operations have been received by DOT from Mexican companies, only about one or two U.S. companies have applied for permission to operate in Mexico.

Several members of the subcommittee, including Reps. Grace Napolitano (Norwalk) and Bob Filner (San Diego) peppered the Administration witnesses with tough questions, while expressed great skepticism about the prudence of opening the U.S. to Mexican trucking. Chief among their concerns were:

- whether U.S. inspectors can effectively inspect the Mexican trucks given the vast number of trucks crossing the U.S. border daily;
- whether U.S. trucking companies will be able to safely operate in Mexico given numerous past instances of hijackings of U.S. truck cargo and threats to U.S. truckers' safety;
- whether the program will be able to protect against fraud relating to vehicle inspections and drivers' licenses; and
- whether U.S. traffic and individuals will be put in jeopardy if Mexican truckers' violate hours of service and other public safety rules.

The general consensus of the subcommittee seemed to be that the program was doomed to failure and, moreover, would greatly jeopardize U.S. highways and residents. The Administration witnesses, however, insisted that the Department has sufficient inspectors dedicated to the project and that Mexico has made sufficient commitments to ensure the success of the program.

For more information, go to the Committee's website at: <http://transportation.house.gov> .

## **HOUSE T&I MOVES WATER RESOURCES BILL; SENATE HOLDS HEARING**

The House Transportation & Infrastructure Committee and its Subcommittee on Water Resources and the Environment both favorably marked up H.R. 1495, the Water Resources Development Act of 2007 (WRDA). The bill contains Corps of Engineer project authorizations, modifications and deauthorizations, programs revisions and policy initiatives, and other related provisions involving Corps activities. Both panels reported the bill by voice vote.

The last WRDA was enacted as P.L. 106-541 in 2000. Last Congress, on July 14, 2005, the House passed H.R. 2864, the Water Resources Development Act of 2005, by a vote of 406-14. The Senate passed H.R. 2864, with an amendment, by voice vote on July 19, 2006. However, the House and the Senate were unable to resolve their differences in Conference before the end of the 109th Congress.

T&I Chairman James Oberstar (MN) has placed a high priority on passage of WRDA this year. The Senate Environment and Public Works Committee, chaired by Sen. Barbara Boxer, held a hearing on Corps projects on March 15, 2007 and may also consider a WRDA bill in the near future.

The projects authorized by H.R. 1495 are estimated to cost between \$11 billion and \$14 billion dollars. Last year's unsuccessful bill would have authorized an estimated \$12 billion in projects. In opening remarks, both Reps. Doris Matsui (Sacramento) and Jerry McNerney (Tracy) lauded the bill as containing provisions and authorizations that will provide protection to the levees in the Delta around Sacramento and the Central Valley. Among the many California projects authorized in the bill are flood control projects on the American and Sacramento Rivers and authorization of the construction of the auxiliary spillway in accordance with the American River Watershed Project (Folsom Dam Modification and Folsom Dam Raise Projects) enacted last year, at a total cost of \$683,000,000, with an estimated Federal cost of \$444,000,000 and an estimated non-Federal cost of \$239,000,000.

At its hearing, the Senate EPW Committee heard from numerous witnesses, including: John Paul Woodley, Assistant Secretary of the Army (Civil Works); Lieutenant General Carl A. Strock, Chief of Engineers, U.S.

Army Corps of Engineers; Doug J. Marchand, Executive Director, Georgia Ports Authority, On Behalf of the American Association of Port Authorities; Jamie Williams, State Director, The Nature Conservancy of Montana; and Pamela Pogue, Hazards Program Manager, Rhode Island Emergency Management Agency, On Behalf of the Association of State Floodplain Managers

Secretary Woodley outlined the Administration's Civil Works budget. He noted that total new discretionary funding requested in the FY 2008 Budget is \$4.871 billion, the highest amount ever in a Civil Works budget. Within this total, the Administration has allocated \$2.471 billion to activities funded in the operation and maintenance (O&M) account, which is the highest funding level for O&M proposed ever, and is 9 percent above the FY 2007 Budget level for the O&M account and \$206 million above FY 2006 enacted (after accounting for the \$296 million that the Budget has proposed to transfer in FY 2008 from construction to operation and maintenance). The Administration's Budget also includes a FY 2007 recommendation to re-allocate up to \$1.3 billion of emergency supplemental appropriations enacted in FY 2006. This would enable the Corps to use available, unobligated funds for measures that will provide a better overall level of protection for the New Orleans metropolitan area in the near-term, according to Woodley. The FY 2008 Budget also provides \$1.384 billion for flood and coastal storm damage reduction, and \$45 million for emergency management.

For further information, go to the Committees' websites at: <http://transportation.house.gov> and <http://epw.senate.gov>.

## **EDUCATION AND LABOR MARKS UP HEAD START ACT**

On March 14, 2007, the House Committee on Education and Labor marked up H.R. 1429, the "Improving Head Start Act of 2007." According to its proponents, the bill is aimed at expanding upon existing Head Start legislation by protecting against financial abuses, extending Head Start programs to infants, creating active partnerships with K-12 schools and increasing the certification requirements of teachers. It provides comprehensive education, health, nutrition, and parent involvement services to low-income children and their families. As of late 2005, more than 22 million pre-school aged children have participated in Head Start since its inception in the 1960s.

The following are amendments from the session:

- recruiting minority teachers and offering online graduate training; also adding parental education and assistance by increasing home visitation: secondary amendment offered to add provisions exempting states that have similar programs in effect already, secondary amendment defeated by a recorded vote 15 - 27, underlying amendment passed by voice vote
  - protect confidentiality of Head Start records preventing a national database, passed by voice vote
  - allow Head Start to use up to 10% of improvement funds for transportation, passed by voice vote
  - allow faith based organizations receiving Head Start funding to maintain their organization as faith based, including the ability to hire employees based on religious preferences, defeated by a recorded vote of 19 - 26
  - begin collecting data on head start teacher qualifications and offer credit transfer for coursework in compensation of work in the program, passed by voice vote
  - change the "standard" of four year degrees for Head Start teachers to "goal" of four year degrees for Head Start teachers, defeated by recorded vote 4 - 39
  - distribute asthma materials and information pamphlets to Head Start centers, passed by voice vote
  - authorizes a pilot project for eight states to take over their local Head Start programs, defeated by a recorded vote of 15 - 27
  - transportation standards temporarily waived for more time for individual centers to meet requirements, passed by voice vote
  - help English Language learners with other areas of learning in their own language, passed by voice vote
  - authorize grants for tribal colleges and Hispanic-serving schools to develop associate and bachelor's degree programs for Head Start staff and offer assistance to teachers in those programs: secondary amendment offered to require time worked in Head Start to reflect assistance given, secondary amendment passed by voice vote, and underlying amendment as amended passed by voice vote



- begin reporting on obesity of children in Head Start program and develop regulations for teaching healthy lifestyles, passed by voice vote
  - help teachers obtain higher learning credentials, such as a bachelor's, by offering student loan forgiveness by working in Head Start programs, tabled for later discussion
  - access and outreach transportation serving rural communities, passed by voice vote
- For more information visit: <http://edworkforce.house.gov> .

## **HOUSE APPROPRIATIONS PASSES SUPPLEMENTAL; SCALED-BACK AG FREEZE MONEY YIELDS LESS PROMISE FOR CALIFORNIA GROWERS**

The House Appropriations Committee voted 36-28 on March 15 to approve a \$124 billion supplemental spending bill dealing primarily with funding for Iraq and establishing a time line for withdrawal of troops from the country. The President requested \$103 billion in supplemental Iraq funding; much of the additional \$21 billion in the Committee bill is aimed at domestic programs, such as agriculture disaster relief, homeland security and pandemic flu preparations.

During the markup, where much of the debate centered on the training and deployment of U.S. troops in Iraq, Defense Subcommittee Chair Jack Murtha (PA) offered an en bloc amendment which included \$750 million in funding for the State Children's Health Insurance Program (SCHIP). The Committee rejected by voice vote an amendment that would have prevented individuals over 18 years from being eligible for SCHIP, and also would have required that recipients be no higher than 200 percent of the poverty level.

The bill also includes a provision that would increase the hourly minimum wage by \$2.10 over two years, to \$7.25. The House earlier this year passed the increase to the minimum wage but it has run into obstacles on the Senate side. Also, \$2.5 billion is included for homeland security needs including aviation, port, container and border security. Wildfire Suppression activities at the Forest Service and Interior Department are provided \$500 million as well.

Although the bill includes \$4.3 billion in agriculture disaster assistance, the provision was scaled back so that only growers who had purchased crop insurance are eligible for assistance. This may be bad news for California producers, the majority of whom do not have crop insurance as it is not that beneficial for them. For instance, only 28% of strawberry acres are covered by insurance as are only 48 % of avocados acreage. Additionally, even if the producer has crop insurance, the methodology used to calculate the adjusted gross income eligibility amount may exclude many California farmers.

The bill may go to the House floor next week. For further information, go to the Committee's website at: <http://appropriations.house.gov> .

## **CLIMATE CHANGE HEARING FEATURES CALEPA SECRETARY'S TESTIMONY**

On Thursday, March 15, 2007, the House Energy & Commerce Subcommittee on Energy and Air Quality met to hear state and local perspectives regarding global climate change. In addition to the Mayor of Charlotte, NC, and several state level officials, the Subcommittee heard from Linda Adams, who was appointed by Governor Arnold Schwarzenegger to head the California Environmental Protection Agency (CalEPA).

In her testimony, Secretary Adams reiterated California's stated commitment to reduce greenhouse gas emissions to 2000 levels by 2010, to 1990 levels by 2020, and 80 percent below 1990 levels by 2050.

She warned of the potential consequences of failing to address the issue. These, Adams said, included: potential loss of 70 to 90 percent of the Sierra-Nevada snow pack (with concordant water storage problems, since the mountain range serves as the state's largest free water storage reservoir); sea level rise affecting the livability and economy of coastal areas; salt water intrusion into the California Bay-Delta, which supplies drinking water to 23 million Californians; exacerbated air pollution and worsened public health; and significant damage to California's valuable agriculture industry.

Noting that the California State Legislature and the Governor collaborated to produce A.B. 32, which among other things calls for a market-based approach to be in place by 2020, Secretary Adams made several recommendations for elements Congress should consider as it develops potential legislation to address global climate change. The six priorities she urged were: 1. An overall cap on emissions; 2. Allow all sectors of

economy to participate; 3. Allow for market mechanisms to play out and ultimately drive innovative solutions to the problem; 4. Invest substantially in scientific research; 5. Focus sufficient attention on public education and outreach efforts; and 6. Remain open to new ideas.

Responding to an inquiry during the question & answer session, Adams noted that, thanks to energy efficiency and conservation, California has experienced essentially stable electrical usage over the recent decade unlike the rest of the country, which has seen a 50% increase in electricity use in the past decade. She cited rebates programs, demand side management, and a program where local utilities provide free shade trees as examples of supporting factors. Texas Public Utility Commission Commissioner Julie Caruthers Parsley commented that Texas last year “surpassed California” as the nation’s leader in renewable energy.

For witness testimony, visit [http://energycommerce.house.gov/cmte\\_mtgs/110hearingsheld.shtml](http://energycommerce.house.gov/cmte_mtgs/110hearingsheld.shtml) .

### **ENERGY & COMMERCE SUBCOMMITTEE DISCUSSES ANTI-SPYWARE BILL**

On March 15, 2007, the House Committee on Energy and Commerce Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled “Combating Spyware: H.R. 964, The Spy Act.” Spyware and unauthorized software downloaded from the Internet has become an increasing problem in an age where technology is essential. Spyware can collect data on websites visited by a user, redirect users to unwanted websites, or even steal sensitive information and personal identification numbers from a consumer’s computer. Spyware is responsible for 50% of the technical assistance calls received. Recent estimates claim that spyware costs Americans \$2.6 billion; in fact, one million consumers have to throw away their computers every year because of spyware they are unable to remove.

The Committee heard testimony from representatives of Internet advertisers, consumer advocates, computer companies and government officials discussing the pros and cons of H.R. 964, The Spy Act. The House has twice passed Spyware bills, championed by Rep. Mary Bono (Palm Springs) but in the past the Senate has failed to act.

Some of the main points discussed at the hearing included:

- Consumer rights and the empowerment of internet users to consent or decline to download software or spyware
- Punishment and enforcement of deceptive acts and mislabeling of programs as something they are not
- Firm resolutions stating that no information can be taken from a consumer without explanation and consent; all information gathering programs must be easily uninstalled or disabled
- Companies concerns with the broad definition of software that The Spy Act provides
- Concerns that the Good Samaritan provision of the bill may be anti-competitive
- Concerns that the anti-fraud definition may be too narrow
- California is one of four states to already have enacted anti-spyware laws.

Also on March 15, Reps. Zoe Lofgren (San Jose) and Bob Goodlatte (VA) announced introduction of H.R. 1525, the Internet Spyware (I-SPY) Prevention Act of 2007, which would also combat spyware and phishing scams. The bill was introduced in both the 108th and 109th Congresses, where it passed in the House, but the Senate failed to act on the legislation. This legislation addresses the most egregious activities that are conducted via spyware and makes those activities criminal offenses punishable by both imprisonment and fines.

For more information regarding the hearing, please visit: <http://energycommerce.house.gov> .

### **HOUSE HOMELAND SECURITY SUBCOMMITTEE DISCUSSES STATE AND LOCAL FUSION CENTER PROGRAM**

On March 14, 2007, the House Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled “The Department of Homeland Security State and Local Fusion Center Program: Advancing Information Sharing While Safeguarding Civil Liberties.” The focus of the hearing was to review the progress of State and Local Fusion Centers and establishing institutionalized policies that protect civil liberties and privacy while continuing to be an effective information sharing venue. “Fusion Centers are the way not only to share information vertically,” said Chairwoman Jane Harman (Venice), “but also horizontally and on the local level.” There was also great

concern among subcommittee members about the funding for the anticipated 40 fusion centers intended to be operational by the end of FY 08 and the privacy and civil liberties education that will be required for employees in these fusion centers.

Some of the main points discussed at the hearing included:

- The State and Local Fusion Center program is part of the larger national network of fusion centers. The program embeds Department of Homeland Security intelligence professionals into state and local centers to share information, collaborate on analysis, and identify information of intelligence value.

- The aggressive plan to increase the number of fusion centers and establish sound and effective privacy policies at fusion centers

- Needed assurances that training for privacy and civil rights training will be effective and universal

- Safeguard privacy and civil liberties with education and training, assisted by the establishment of Civil Liberties Universities, yet fusion center guidelines are recommended, not mandatory

Chairwoman Harman emphasized the importance of civil liberty and privacy protections, closing the hearing by saying about fusion centers: "One size does not fit all, but what has to fit all is that civil liberties and privacy principals are observed all the time, no exceptions."

For more information, please visit: <http://hsc.house.gov> .

## **HOMELAND SUBCOMMITTEE EXAMINES BORDER DETENTION, TRAFFICKING ISSUES**

The House Homeland Security Subcommittee on Border, Maritime and Global Counterterrorism held a hearing on March 15 entitled "Crossing the Border: Immigrants in Detention and Victims of Trafficking, Part I." The hearing is the first of two to examine the treatment of migrants by the Immigration and Customs Enforcement Bureau. The Subcommittee heard from a number of witnesses including: John P. Torres, Director, Office of Detention and Removal Operations (DRO), Immigration and Customs Enforcement (ICE), Department of Homeland Security; Richard P. Seiter, Executive Vice President & Chief Corrections Officer, Corrections Corporation of America; Michelle Brané, Director, Detention and Asylum Program, Women's Commission for Refugee Women and Children; Christina Fiflis, Member, Commission on Immigration, American Bar Association; and Michael Cutler, Fellow, Center for Immigration Studies.

In her opening remarks, Subcommittee Chair Loretta Sanchez (Anaheim) noted recent reports of unacceptable conditions at detention centers and her interest in examining ICE's standards of care and treatment of immigrants. Director Torres outlined ICE's increased detention capacity and the increased resources it has committed to detention since the end of "catch and release." He testified that as detention space has been added, the Detention and Removal Office has continued to ensure that all facilities comply with the 38 ICE National Detention Standards. These standards were developed in partnership with Nongovernmental Organizations, such as the American Bar Association, and building upon standards established by the American Correctional Association, meet or exceed correctional industry standards, Torres stated.

Ms. Fiflis testified that one reason the ABA opposes the detention of non-citizens in removal proceedings except in extraordinary circumstances is because of the many obstacles to obtaining legal representation faced by immigrants in detention. She argued that the decision to detain a non-citizen should be made only in a hearing that is subject to judicial review. The ABA is concerned, additionally, about the growing reliance on detention and on proposals to increase the use of mandatory detention. Ms. Fiflis testified that the ABA instead supports the use of humane alternatives to detention that are the least restrictive necessary to ensure that non-citizens appear in immigration proceedings.

Mr. Cutler, on the other hand, testified that "because of the inherent risks to the safety and well being of our nation and our citizens, I would strongly urge that aliens who apply for political asylum be kept in a detention facility until their true identities can be determined along with a proper determination being made of their credible fear should they be returned to their home country." Only in that way could an alien who is found to be ineligible for asylum be prevented from absconding and embedding him or herself in the United States. He stressed, however, that detainees should be afforded comfortable facilities during their detention.

For the testimony of all the witnesses, visit the Committee's website at: <http://hsc.house.gov> .

## **CAPITOL ROUNDTABLE BRINGS TOGETHER BIPARTISAN CALIFORNIA DELEGATION MEMBERS, CITY ELECTED OFFICIALS**

At a March 14, 2007, session in the U.S. Capitol Building, a bipartisan cross-section of California members of Congress engaged with an array of city officials from across California. The meeting was conducted in conjunction with the annual visit of the California League of Cities to Washington, DC. The roundtable event was an opportunity for the local and federal officials to focus jointly on pressing homeland security issues.

Kicking off the session were introductory and welcoming remarks by Reps. Zoe Lofgren (San Jose) and David Dreier (San Dimas), who respectively chair the California Democratic and Republican Congressional Delegations. In a joint statement, Lofgren and Dreier commented that "In pursuing California's homeland and disaster assistance goals, it is vital that we fully sustain our successful federal, state and local partnerships. Locally developed and supported solutions will be the most effective in addressing the homeland security and disaster challenges we face in our communities." In addition, Rep. Dreier stated, "We must not only provide the resources for [first responders] to do their jobs, but also target those resources to local governments in a cost-effective way. I am especially proud that California's unique emergency management system serves as a model for the rest of the country." Among other participants were Reps. Brian Bilbray (Carlsbad), Darrell Issa (Vista), George Radanovich (Mariposa), and Loretta Sanchez (Anaheim).

The exchange included presentations and discussions with federal homeland security officials as well, including Andy Mitchell, Director of Operations at the DHS Office of Grants and Training; Jessica Herrera-Flanigan, Majority Counsel for the House Homeland Security Committee; and Dan Mathews, Minority Staff Director for the House Transportation & Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management.

## **JOINT HOUSE-SENATE EDUCATION HEARING EXAMINES NCLB AND ACHIEVEMENT GAP**

On March 13, 2007, the Senate Committee on Health, Education, Labor and Pensions joined the House Committee on Education and Labor for a full committee discussion entitled "Elementary and Secondary Act Reauthorization: Improving No Child Left Behind (NCLB) to Close the Achievement Gap." The discussion was held to address strategies and programs of NCLB that have been effective in closing the achievement gap and propose changes and new programs for NCLB to be more effective in closing the achievement gap. The hearing featured testimony from witnesses representing school officers, school districts, business, researchers, civil rights leaders, and the National Education Association. The witnesses discussed various programs and policies that were successful in closing the achievement gap and also difficulties and complications with NCLB in achieving equal education for all students.

The following are a few key points from the discussion:

- Teacher quality assessments, highly qualified teachers versus highly effective teachers: measuring teacher performance by student improvement rather than credentials, but credentials are still important
- English language learning students and special education students largely responsible for lower scores, need special time and attention before being integrated into school data
- NCLB is civil rights policy, all children can learn and schools must be held accountable for preparing students: must combat the high drop out rate and prepare students for workforce
- Data systems are inadequate for measuring student performance, students should be measured against themselves instead of the previous class, guide instruction with accurate data including research based methods for teacher training
- Teacher shortages and teacher retention problems affecting students' performance: can combat teacher shortages by increasing salaries, qualifications, offering career advancement
- Should determine what role parental involvement, parental choice should play.

For more information, please visit: [www.edworkforce.house.gov](http://www.edworkforce.house.gov)



## **HOUSE SUBCOMMITTEE ON HOUSING AND COMMUNITY OPPORTUNITY EVALUATES SECTION 8 VOUCHER REFORM PROPOSAL**

On March 9, 2007, the House Committee on Financial Services, Subcommittee on Housing and Community Opportunity held a hearing on the Section 8 Voucher Reform Act, (SERVA) which attempts to streamline the Section 8 Housing Choice Voucher program and the public housing program, primarily implemented through the Department of Housing and Urban Development (HUD). The 2008 Budget for HUD includes major reform proposals for the Federal Housing Administration (FHA), the Housing Choice Voucher program, and the Community Development Block Grant (CDBG) program. The Committee heard testimony from the Assistant Secretary of the Public and Indian Housing office of HUD in addition to representatives from renters, tenants, public housing authorities, state workers, and disabled persons.

Some of the main points discussed in the briefing included:

- Establishing funding policy in annual appropriations legislation has created instability and a lack of predictability that has not benefitted voucher-assisted low income households
- The SERVA bill does not include provisions concerning the Moving to Work (MTW) demonstration program
  - Housing authorities have received many program cuts and have inadequate resources
  - Changes in the recertification requirements ease paperwork and bureaucracy, especially for households receiving subsidy and surviving on a fixed income
  - Allocating new project-based rental assistance to state organizations to combine with state-administered Housing Credit, Housing Bond, and other production resources
  - Data from the 2005 American Community Survey shows that 71% of all extremely low income renter households in the United States pay more than half of their income for their homes. The numbers are even higher in California (77%) and Illinois (72%)
  - Simplifying the process used to administer “portability” of vouchers from the jurisdiction of one agency to the jurisdiction of another
  - Improving the performance measurement requirement in SEVRA by adding agency performance measures relating to deconcentration of poverty and other important social objectives
  - Changing the maximum initial contract term for the Section 8 project-based program from 10 years to 15 years to make it conform with the tax credit compliance period
  - In 2006, Supplemental Security Income recipients needed to pay more than their entire monthly income to rent a modest one bedroom or efficiency/studio unit
  - Reauthorization of an improved version of the Regional Opportunity Counseling Program, a multi-city program that helped families move to lower- poverty neighborhoods (defunded in the first two years of the Bush Administration)

For more information, please visit: <http://financialservices.house.gov>

## **ENVIRONMENTAL AND ENERGY STUDY INSTITUTE HOSTS BIOENERGY BRIEFING**

On March 8, 2007, the Environmental and Energy Study Institute (EESI) held a briefing entitled “Bioenergy in the Farm Bill: Policy Options for Conservation.” The 2002 Farm Bill is up for reauthorization and the proposed bill by the United States Department of Agriculture emphasizes and supports many forms of bioenergy. The current challenge is to ensure that clean, sustainable renewable energy from biomass becomes an integral part of agriculture policy, to decrease U.S. reliance on oil, protect the climate, create economic development, enhance public health, and improve air and water quality. The rapid increase in production of biomass for renewable energy has many stakeholders concerned that this growing industry could have unintended consequences. Existing conservation programs, such as the Conservation Reserve Program (CRP) and the Conservation Security Program (CSP), as well as the possibility of new conservation programs, have been suggested as opportunities to further the production of bioenergy feedstocks.

Some of the main points discussed at the briefing included:

- A cellulosicbiofuels/products industry using sustainably-produced native grass to keep land in permanent cover

- The greater the diversity of grasses and stand structure, the greater the density and diversity of nesting song-birds, based on studies done on CRP, cropland, and native prairie by wildlife biologists. This is particularly important since hunting and birding are becoming significant sources of new revenue for some landowners

- CSP is designed to reward multiple conservation benefits, and could add provisions to encourage soil conserving perennial energy crops in systems that might include mixed grass and other species, woody vegetation, or forage also suitable for haying and grazing. Incentives to maximize wildlife habitat, carbon sequestration, water quality, and other environmental benefits can be integrated within a CSP contract

- The United States now has the capacity to produce 5.5 billion gallons of ethanol per year, with an additional 6 billion gallons per year under construction or planned for expansion. If all planned facilities are completed, the ethanol production would still be only a small percentage of our nation's current gasoline consumption. Advanced biofuels made from "cellulosic" feedstocks can propel the biofuel production potential to 60 billion gallons per year.

For more information, please visit: <http://www.eesi.org> .

### **RAND HEALTH PRESENTS MOST RECENT CALIFORNIA SCHIP STUDY**

On March 12, 2007, the RAND Health Corporation held a briefing entitled "Impact of Realized Access to Care on Health-Related Quality of Life." The State Children's Health Insurance Program (SCHIP) is a federal program of grants to states intended to provide health insurance to uninsured children in low-income families. In California, SCHIP funds are the main support for Healthy Families programs. The report, conducted in California, studies the self-reported health-related quality of life and finds a positive correlation between quality of life and access to doctors and other health services. Providing low-income children with government-sponsored health insurance improves their quality of life.

The report, authored by Michael Seid, is the first study to show SCHIP both improves access to care and quality of life. The results were most prominent among English Language Learning children. The study was conducted in California where 1 out of 5 children are enrolled in a SCHIP funded program.

Some of the main points presented at the briefing included:

- SCHIP reduced by half the number of California kids not receiving care when needed
- SCHIP eliminated race and ethnicity disparities in healthcare
- Children who don't receive medical care when they need it drop drastically in quality of life measures, children enrolled in SCHIP receive greater access to care and maintain or improve in quality of life measures
- Increases in quality of life measures have a positive correlation with increases in standardized test scores

For more information, please visit: <http://www.rand.org/health>

### **NASA ASTRONAUT FEATURED IN SPACE WEEK RECEPTION**

NASA Astronaut Carl Walz, a veteran of four space flights who established a U.S. Space flight endurance record of 196 days in space, will be featured on March 21, 2007 during a Capitol Hill reception in honor of the 9th annual California Space Week. Walz will be available for photos and conversation during the reception that will begin at 5 p.m. in Room 2325 of the Rayburn House Office Building.

California Space Week is organized annually by the California Space Authority, a statewide non-profit focused upon space enterprise within the state of California. More than 50 people representing industry, academia, and the workforce are expected to participate in this important event which will highlight the economic benefits of NASA within California, the need for adequate resources for national defense space, inspiring students to study science, technology, engineering and math; the streamlining of export licensing; and the application of space technology to homeland security challenges.

The California Space Week participants will meet with members and staff in all 55 Congressional offices on March 20 and March 21. They will then meet with executive branch officials in the Hall of States on March 22.

For additional information, see <http://www.californiaspaceauthority.org> .