



# THE CALIFORNIA INSTITUTE FOR FEDERAL POLICY RESEARCH

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## California Capitol Hill Bulletin

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

### GOVERNOR AND ENTIRE BIPARTISAN CONGRESSIONAL DELEGATION WRITE PRESIDENT, RUMSFELD, AND BRAC CHAIRMAN RE BASE CLOSURES

In anticipation of the May 2005 release of the Defense Secretary's list of military bases recommended for realignment or closure, Governor Schwarzenegger sent a letter signed by all 55 members of the California Congressional delegation to President Bush, Defense Secretary Donald Rumsfeld, and BRAC Commission Chairman Anthony Principi. The letters tout California as "truly unique in its integrated combination of the nation's best warfighting capabilities, training ranges, research and testing centers, and military schools. Together with our academic centers and defense industry, the state offers more support than any other location for joint operations success and defense transformation."

The letters emphasize California's location in facing emerging military threats in Asia, the state's "vast, unencroached, and irreplaceable ranges and our ideal weather conditions" for year round training, and the integration of military installations in the Southwestern U.S. as three primary reasons for sparing California bases in the upcoming base closure round. The letters reference the California Council on Base Support and Retention's recently released report that provides a "comprehensive review of the state's vital role in national defense." The letters close by asking that "California's bases receive the fair and impartial evaluation they deserve in the base realignment and closure process of 2005 and that the results will reflect the importance of the California defense complex."

The letters are significant in their demonstration of bipartisan support for California's bases. They mark the first time in the 109<sup>th</sup> Congress that all 53 representatives and both senators have signed the same document.

The release of the Defense Secretary's list of military bases recommended for realignment and closure as part of the 2005 BRAC round is required by May 16. However, indications from the Department of Defense are that the list will be released sometime next week, perhaps as early as Tuesday, May 10, 2005.

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The letter may be obtained on the Governor's website, at <http://www.governor.ca.gov> . To view the California Council on Base Support and Retention's report on the military in California, visit <http://www.omas.ca.gov/> . In addition, a recent California Institute report entitled *California Past Base Closure Experiences and the 2005 BRAC Round* is available at <http://www.calinst.org/defense/base1a.htm> .

### **BIPARTISAN DELEGATION SENDS LETTER TO SEC. RICE ON EXTRADITION**

Twenty-six members of the California delegation from both sides of the aisle sent a letter to Secretary of State Condoleezza Rice raising concerns about the extradition policy between the United States and Mexico. The letter was initiated by Reps. Howard "Buck" McKeon (Santa Clarita) and Adam Schiff (Burbank).

Currently, the Mexican government refuses to extradite Mexican nationals who have committed crimes in the United States, unless the U.S. prosecutor agrees not to pursue the death penalty or a life sentence against the accused.

The letter states that as a result of this policy, "heinous crimes are committed in this country by perpetrators who become fugitives and escape justice by seeking safe haven in Mexico." It cites as an example the case of Armando Garcia, a Mexican national who fled home and is suspected in the 2002 murder of L.A. County Deputy Sheriff David March.

The Members' letter to Rice urges her to raise this issue with the government of Mexico at the earliest opportunity.

### **HOUSE PASSES SUPPLEMENTAL WITH IMMIGRATION PROVISIONS; SENATE TO FOLLOW SOON**

The House passed the Conference Report to accompany the emergency supplemental appropriations bill for the war in Iraq and other Defense needs by a vote of 368-58 on Thursday, May 5, 2005. The \$82 billion bill, H.R. 1268, also contains numerous extra provisions and riders included by House and Senate members to encourage support. In addition, the House and Senate added several immigration provisions before final passage.

H.R. 1268 allows the Department of Homeland Security to waive federal environmental laws, as well as others, in order to complete the fence along the U.S. - Mexico border near San Diego. Federal judicial review of any government action will be precluded unless a constitutional claim can be raised. It also establishes new national standards for drivers' licenses aimed at preventing an undocumented alien from obtaining a driver's license. States would be required to obtain proof of lawful presence in the United States before a driver's license could be used as identification for federal purposes, such as entering federal buildings or boarding airplanes. However, the bill would allow for a second category of driver's licenses that could be issued for a one year period and not allowed for federal identification. These licenses would not require proof of lawful status in the United States. H.R. 1268 also tightens requirements for obtaining asylum in the United States and increases the cap on temporary seasonal workers.

The bill's Border Security funding includes a total of \$635 million in funding for increased border security and enforcement. Of that, \$176.2 million is to hire, train, equip and support an additional 500 Border Patrol Agents and relieve current facility overcrowding. \$454.2 million is added for Immigration and Customs Enforcement, with \$97.5 million of that to hire and train additional criminal investigators and Immigration Enforcement Agents.

The Senate is expected to take up the conference report next week.

### **BRAC COMMISSION HOLDS FIRST MEETING; RELEASE OF BRAC LIST NEXT WEEK**

On Tuesday and Wednesday (May 3 and 4, 2005) the nine-member Base Realignment and Closure (BRAC) Commission, chaired by former Veterans Affairs Secretary and current San Diego resident Anthony Principi, held its first formal meeting in preparation for next week's release of the Defense Secretary's list of

bases recommended for closure and realignment. As the first order of business, all nine members were sworn into their presidentially appointed positions. The remainder of the meeting was devoted to organizing the Commission, and reviewing the procedures through which the Commission will review and revise the Secretary's recommendations. It also heard testimony from the Government Accountability Office (GAO), Congressional Research Service (CRS), the State Department and intelligence officials concerning BRAC history, the upcoming round of base closures, and military threats around the world. Principi spoke of the daunting task at hand and recognized that the closure of bases will be like "tsunamis in the communities they hit."

Also discussed at the meetings was an interesting controversy between states and the Department of Defense over DoD's ability to close or realign National Guard installations. The Governor of Illinois, Rod Blagojevich, insists that a federal law prevents DoD from removing National Guard installations without the consent of the affected state's governor. The Department of Defense asserts that the law does not apply to base closures or realignments. The Commission would like a quick resolution of the disagreement as it moves forward.

The Secretary of Defense Donald Rumsfeld is expected to release his list of bases recommended for closure and realignment next week. The BRAC authorizing legislation requires that the list be made public by May 16; indications from the Pentagon are that the list will be released early in order to avoid leaks and provide the Commission with more time to review and revise its recommendations. The list may become public as early as Tuesday, May 10, or as late as Friday, May 13 (although DoD, fearing bad press, is hesitant to release the list on Friday the 13<sup>th</sup>). Affected bases and legislators from affected districts may be provided with advance warning, but the notice may occur mere hours before the release of the list. The Pentagon states that no final decisions have yet been made on any bases, but that potential lists are circulating at high levels within the Department.

Once the list of bases suggested for closure and realignment becomes public next week, the nine-member BRAC Commission will begin the daunting task of reviewing the recommendations. The process involves in-depth analysis of the Secretary's recommendations to ensure that they strictly follow the criteria established for deciding which bases to close. Additionally, at least one Commission member will visit each base on the list in order to provide the community with an opportunity to present its argument for remaining open. Changes to the Commission's voting procedures have made it more difficult to add bases to the closure list; whereas in the past a majority of votes could add a base, now seven of nine votes are required to add bases to the list. A simple majority can remove a base from the list.

The Commission will have approximately four months, until September 8, 2005, to amend the list and present its revised recommendations to the President. By September 23, 2005, the President must approve the Commission's list of closures and realignments or disapprove and send it back to the Commission for further modification. If the President disapproves of the Commission's list, they have until October 20, 2005 to revise it. The President must transmit the closure and realignment list to Congress by November 7, 2005, or the BRAC process dies. Finally, by December 22, 2005, Congress must approve or disapprove of the list transmitted to them by the President. If they disapprove, the BRAC process dies; if they approve the list, the closures and realignments assume the power of law and bases will begin to close.

While the contents of the Secretary's list are being closely guarded by the Pentagon, the Commission's makeup appears favorable to California bases. With Principi as the Chairman of the Commission and California resident Philip Coyle as a Commissioner, there will be at least two people familiar with California's unique strengths when the Commission reviews and revises the Pentagon's closure and realignment list. Additionally, four of the nine Commissioners hail from the Western region of the U.S., meaning that West Coast concerns are unlikely to be ignored.

In previous BRAC rounds in 1988, 1991, 1993 and 1995, California suffered remarkably disproportionate cuts in personnel, absorbing more than half of the nation's approximately 176,000 job losses. Despite those

cuts, California is still home to more Department of Defense personnel and bases than any other state in the nation.

The California Institute recently published a report entitled *California Past Base Closure Experiences and the 2005 BRAC Round* that can be viewed at <http://www.calinst.org/defense/base1a.htm> . Additionally the California Council on Base Support and Retention released its report on California's military strength that can be viewed at <http://www.omas.ca.gov/Retention/pdf/report.pdf> .

## **CHAIRMAN LEWIS PROPOSES 302(B) ALLOCATIONS FOR APPROPRIATIONS PANELS**

On Thursday, May 5, 2005, House Appropriations Committee Chairman Jerry Lewis (Redlands) released his recommendations for 2006 subcommittee allocations. To be considered by the Full Committee next week, the so-called 302(b) allocations determine how much money each of the 11 subcommittees may spend of the year's \$843 billion total budget authority.

Acknowledging that 2006 will be "a difficult budget year" and citing a need to reduce domestic discretionary spending below the prior year's level, Chairman Lewis called the plan "my best attempt to distribute the limited resources available in a fair and fiscally responsible manner." He added that he is committed to moving all appropriations bills through the House by the July 4th recess.

The 2006 budget provides a total of \$24 billion more spending authority than did 2005, a 2.9 percent increase. Of that amount, Chairman Lewis proposes to allocate \$11 billion to the Defense panel, which would grow by 3 percent to \$363 billion. Other subcommittees receiving increased allocations would include Military Quality of Life, VA (up 7.4% to \$85 billion), Transportation, Treasury, HUD (up 5.9% to \$67 billion), Homeland Security (up 4.7% to \$31 billion), and Science, State, Justice, Commerce (up 2.1% to \$57 billion).

On the other hand, three subcommittees would experience minor reductions in funding compared to 2005 levels, although no reduction would exceed \$600 million. Reduced panels include Interior, Environment (down 2.2% to \$26 billion), Energy & Water Development (down 0.3% to \$30 billion), and Labor, HHS, Education (down 0.1% to \$143 billion).

The Committee's pdf table comparing 2005 spending and proposed 2006 allocations is reposted on the California Institute website at <http://www.calinst.org/datapages/302b-06h.pdf> . For more information, visit <http://appropriations.house.gov> .

## **INTERIOR APPROPRIATIONS REPORTS FY06 BILL**

The Interior, Environment, and Related Agencies Subcommittee of the House Appropriations Committee reported its FY06 Appropriations bill on May 4, 2005. The bill recommends \$26.2 billion in funding for programs under its jurisdiction, a decrease of \$800 million from the \$27 billion appropriated for FY05.

Included in the funding are the following recommendations:

- \$2.7 billion for Wildland firefighting and the National Fire Plan, an increase of \$120 million over last year's level;
- \$850 million for the Drinking Water State Revolving Fund (SRF), an increase of \$7 million; and
- \$850 million for the Clean Water SRF, \$120 million above the President's request but \$241 million less than last year.

The funding provided for the National Fire Plan includes increases of \$67 million for wildfire suppression, \$30 million for wildfire preparedness, and \$33 million for hazardous fuels reduction efforts. The bill also recommends \$230 million for Payments in Lieu of Taxes (PILT), which is \$30 million above the President's request and \$3 million above the 2005 level.

Further information on the bill can be found on the Committee's website at:

<http://www.appropriations.house.gov> .

## **HOUSE APPROPRIATIONS PANEL APPROVES 2006 HOMELAND SECURITY BILL**

On Wednesday, May 4, 2005, the House Appropriations Subcommittee on Homeland Security reported its spending bill for FY 2006, providing \$30.9 billion for operations of the Department of Homeland Security (DHS). The total increased spending by \$1.37 billion from 2005 levels, and provided \$3.6 billion for various first responder grant programs and related funding.

Within the first responder category were \$750 million for the state homeland security formula grant program (SHSGP), \$400 million for State and local law enforcement terrorism prevention grants (LETPP), \$180 million for Emergency Management Performance Grants; and \$200 million for First Responder training. These programs, to receive a total of \$1.4 billion, distribute funds according to a widely-criticized formula that vastly favors small states over large states. (In 2004, California received \$5 per capita from these programs, whereas Wyoming received \$38 per capita that year.)

In addition, the bill proposes \$1.215 billion in funding focused on high-density urban areas, including \$850 million for urban area grants, \$150 million for rail security, \$150 million for port security, and \$65 million for other infrastructure protection. The bill proposes that not less than 10 percent of basic formula grants (\$750 million) and urban area grants (\$850 million) be set aside for Emergency Medical Service (EMS) providers.

In other areas, the bill proposes \$19.4 billion for border protection, immigration enforcement, and related activities, an increase of \$1.9 billion from 2005, including \$1.6 billion for border security and control, which would provide for an additional 1,000 Border Patrol Agents. (The Committee notes that, when combined with the pending FY05 Supplemental, 1,500 new Border Patrol agents will be hired in FY06.) The account also would provide \$3.2 billion for Immigration and Customs Enforcement, \$61 million for border security technology such as surveillance and unmanned aerial vehicles, \$489 million for Air and Marine Operations for border and airspace security, \$20 million for replacement Border Patrol aircraft, \$188 million for vehicle and cargo inspection technologies, \$45 million for increased intelligence and targeting for cargo and passengers, \$140 million for the Container Security Initiative (expanding CSI to a total of 37 foreign ports), \$54.3 million for the Customs-Trade Partnership Against Terrorism (C-TPAT), and \$211 million for transportation and removal of undocumented aliens.

Within the Transportation Security Administration (TSA), the bill proposes \$6.4 billion including \$2.5 billion for passenger and baggage screeners, \$85 million for training of airport screeners, \$468 million to procure, install, maintain and integrate in-line explosive detection systems, \$983 million for aviation direction and enforcement activities, and \$100 million for air cargo security. It proposes \$1.3 billion for science and technology, including \$651 million to develop radiological, nuclear, chemical, biological, and high explosives countermeasures, \$30 million for rapid prototyping of homeland security technologies, \$30 million for container security research, \$64 million for university-based centers of excellence, and \$110 million for research, development, and testing of antimissile devices for commercial aircraft.

It provides \$861 million for the Information Analysis and Infrastructure Protection (IAIP) Directorate, which includes \$139.4 for critical infrastructure identification and evaluation and outreach and partnerships with industry, \$74.3 million for infrastructure vulnerability and risk assessment, and \$56.1 million for the Homeland Security Operations Center, enhancing secure communications with State and local governments. In so-called Traditional Missions, the bill calls for \$2 billion for Disaster Relief, \$1.8 billion for citizenship and immigration services, and \$20 million to enforce laws related to forced child labor, intellectual property rights, and textile transshipment.

In policy provisions, the 2006 HS spending bill would require DHS to submit a "comprehensive immigration enforcement strategy that reduces the number of undocumented aliens by 10 percent per year" develop a national detention plan for undocumented aliens, and expand the use of Immigration Enforcement Agents. It also requires the development and implementation of improved air cargo security standards and protocols, and requires the DHS Office of Domestic Preparedness to submit the final National Preparedness Goal no later than October 1, 2005, establishing nationwide preparedness standards to make 2006 grant allocations based on these goals.

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

## **CONGRESS' 2006 BUDGET DOCUMENT CONTAINS PELL GRANTS INCREASE**

The non-binding fiscal 2006 budget resolution spending plan approved in April 2005 would provide more funds to expand the Pell Grants college aid program, although higher education programs in general would be cut back to meet fiscal constraints. Pell Grants, or federal college aid stipends to students from disadvantaged families, serve \$5.5 million eligible college students and would be increased for the first time in three years under the 2006 budget resolution.

Currently providing needy students with a maximum annual allotment of \$4,050 each, the Pell Grant program is a direct federal aid program that has received criticism for not keeping pace with the growing costs of college education or recent increases in eligible applicants. Grants are provided to students on a sliding scale basis that considers a student's family income and tuition costs, among other factors.

The 2006 budget resolution provides some good news for Pell Grants supporters by proposing to increase the maximum grant by \$100 to a ceiling of \$4,150 through an allocation increase of \$400 million in discretionary funds. The budget blueprint also assigns a \$4.3 billion pot of funds to erase a budget shortfall in the program's account that has hampered efforts to boost Pell Grant awards.

Democrats and moderate Republicans had pushed for a more generous Pell Grant increase during budget negotiations, but the \$500 hike proposed by Sen. Edward Kennedy (MA) was ruled out because it would have been financed through the elimination of certain corporate tax cuts. A plan by the White House to provide a similar level of increase to the Pell Grant program was also rejected by budget writers.

While the Pell Grants program makes some gains, budget provisions propose to make substantial reductions to funding for education panels in the House and Senate. According to the budget agreement, the House Education and Workforce Committee is charged with reducing spending by \$12.7 billion over the next five years for programs within its jurisdiction. Furthermore, the Senate Health, Education, Labor, and Pensions (HELP) Committee is required to produce mandatory cuts of \$13.7 billion to its programs over five years. Although few specifics have been disclosed, it is believed that the \$70 billion federal student loan system could be targeted for cuts possibly contained in a subsequent budget reconciliation measure.

Because the budget document is a non-binding resolution, action must be taken in House and Senate policy and appropriations committees to implement the plan.

## **BIPARTISAN CONGRESSIONAL LETTER CRITICIZES FTA'S PROPOSED CHANGES TO NEW STARTS EVALUATION SYSTEM**

A group of 39 lawmakers has submitted a letter to the Federal Transit Administration (FTA) requesting the delay of an administrative rule that would change the rating system used to qualify transit capital projects for federal grants. The letter, submitted on April 21, 2005, was signed by a bipartisan group of 17 California members from different parts of the state who all agree that any significant changes to the transit New Starts program should wait to be included in the reauthorization of the surface transportation law currently being considered in Congress.

Authors of the letter oppose FTA's proposed modification to the New Starts rating process that would prohibit discretionary transit funds for major capital investment New Starts projects that receive "low" cost effectiveness ratings. Cost effectiveness counts as one of several measures used to assess such projects. But under the proposed FTA rule, it would become the deciding factor, regardless of a project's overall rating. Members are concerned that a number of projects that have received funding in the past due to satisfactory overall ratings will become ineligible for future federal funds, according to the letter. The letter also contends that the proposed change would not be consistent with current law, the FTA's own 2000 Final Rule posting regarding project determinations, or current Congressional reauthorization proposals crafted in the House and Senate.

The letter calls for FTA to wait for the completion of the surface transportation reauthorization before implementing any changes to the New Starts project review process and urges changes to be based on a more formal process that would involve input from stakeholders.

New Starts grants provide support for new fixed-guideway transit projects or extensions to existing fixed guideway systems that have received multiyear Full Funding Grant Agreements from FTA. The New Starts account was appropriated \$1.2 billion in 2003, of which California received \$223.6 million or 18 percent of the national total.

## **HOUSE PASSES VOC ED AND TRAINING BILL WITHOUT WHITE HOUSE PLAN FOR ELIMINATING PERKINS GRANTS**

The House approved a vocational and technical education reauthorization bill on May 4, 2005 by an overwhelming margin. Approved by a vote of 416 to 9 and shepherded by Rep. Michael Castle (DE), the bill (HR 366) renews federal law governing professional education and training programs (the Carl D. Perkins Vocational and Technical Education Act of 1998) through 2011. The reauthorization of these \$1.3 billion programs challenges White House plans to eliminate Perkins and other career and technical education grants, however no presidential veto warnings have been issued.

HR 366 requires the establishment of performance indicators locally, strengthens coordination and partnership initiatives between secondary to postsecondary education and training, and aligns academic standards to the No Child Left Behind Act.

Under the House bill, Perkins grants (funded at \$1.2 billion in FY 2005) would be combined with the Tech-Prep program (budgeted \$107 million in FY 2005) to create a single funding stream. A Castle amendment approved by voice vote ensures that Tech-Prep commitments from states would not dip below FY 2005 levels. The House bill would also reduce set-asides for administrative expenses from 5 percent of appropriated funds to 2 percent.

The Senate passed a companion measure on March 10, by a vote of 99 to 0. That bill (S 250) seeks to strengthen local accountability guidelines, provide stronger emphasis on academics, and establish secondary and postsecondary indicators. It would retain Perkins' and Tech-Prep's current structure as two separate grants, and maintains state administration funding. The Senate bill also makes Perkins grants available to four year institutions.

If Congress completes reauthorization of federal vocational education programs, the legislature would effectively be rejecting language contained in the President's 2006 Budget request that would eliminate Perkins and Tech-Prep grants altogether and reprogram funds for those programs to support No Child Left Behind testing and standards projects.

## **HOUSE PANEL EXAMINES INTEGRATING HEAD START WITH OTHER EARLY EDUCATION AND CARE**

On April 21, 2005, a House education panel proceeded with the third hearing in four weeks on the topic of the federal Head Start program and its reauthorization. The House Subcommittee on Education Reform, chaired by Rep. Michael Castle (DE) this time focused on the issue of Head Start improvement through state coordination and integration of early childhood care initiatives.

Head Start assists states by providing comprehensive early education and health care to low income children below age 5 and their families. Funds are apportioned in large part on the basis of a given state's share of such children. The \$6.8 billion program is considered a formula grant that assigns each state with an annual allotment, however, funds are directly delivered to local Head Start centers rather than in the form of block grants.

The lack of state oversight and coordination in Head Start's program design are factors contributing to Head Start service limitations and unnecessary duplications, according to Chair Castle. In his opening remarks

he stated that his primary goal was to eliminate barriers that impede Head Start's integration with other early childhood programs benefitting the disadvantaged. He noted that over the 40-year life span of the program, a patchwork of early childhood programs had sprouted up. "In this new era," he said, "Head Start should be working towards integrating services with other school readiness programs, not competing against them." Several panelists concurred with Rep. Castle's assertions. Jeff Alexander, an official for Big Five Community Services in Oklahoma, noted that integration has enhanced options for parents, provided qualified staff, and facilitated more licensing. Dr Steven Barrett, an economist and Director of the National Institute for Early Education Research (NIEER) at Rutgers, New Jersey said that enhancements in cooperation and integration among providers can be beneficial, and agreed that options and new approaches need to be tested. However, he was also concerned that blending programs would create inconsistencies, conflicts and the potential for confusion among parents. He advocated more accurate data collection and tracking systems as well as increased flexibility and authority to states.

Subcommittee Ranking Member, Rep. Lynn Woolsey (Petaluma), voiced her support for collaboration and coordination provisions in current law. She expressed a willingness to explore enhancement options, but she did not want to risk the erosion of federal standards in the process or overlook the importance of providing adequate funding levels, "Head Start has served our most vulnerable children and families so well," said Rep. Lynn Woolsey, "because its standards have remained both high and comprehensive."

For more information on this hearing or to view testimony, visit the House Education and Workforce Committee at: <http://edworkforce.house.gov/hearings/109th/edr/headstart042105/wl42105.htm>

## **HOUSE WATER AND POWER PANEL HOLDS HEARING ON ENDANGERED SPECIES ACT**

On Wednesday, May 4, 2005, the House Resources Subcommittee on Water and Power, chaired by Rep. George Radanovich (Mariposa), held an oversight hearing to discuss the Endangered Species Act (ESA) as it relates to rural power generation and costs. The hearing, entitled "Stabilizing Rural Electricity Service Through Common Sense Application of the Endangered Species Act," included testimony from a number of individuals with knowledge of the effects of the ESA on rural power. Mr. Steve Boyd, the Department Manager for Communications & Government Relations for the Turlock Irrigation District in Turlock, CA in the Central Valley provided testimony explaining how the ESA's protection of Chinook Salmon in his power district dramatically increased the cost of electricity to all the region's users without producing significant benefits for the salmon population. Mr. Boyd's comments were echoed by nearly all of the witnesses, who almost universally felt that the costs of implementing the ESA outweighed the sometimes difficult to measure benefits of the Act. Even those testifying for environmental concerns admitted enormous problems with the ESA.

The hearing included testimony from Mr. Michael W. Brown of the Deseret Generation and Transmission Cooperative in Newcastle, UT, Mr. Steve Eldrige, the General Manager/CEO of the Umatilla Electric Cooperative in Hermiston, OR, Mr. Mac McClennan, a member of the Tri-State G&T Association, Inc. in Westminster, CO, and Mr. Chad Smith, the director of the Nebraska Field Office for American Rivers in Lincoln, NE.

For copies of witness testimony, visit the Subcommittee on Water and Power's website at <http://resourcescommittee.house.gov/archives/109/wp/index.htm>.

## **CALIFORNIA INSTITUTE BREAKFAST FEATURES REPRESENTATIVE DAN LUNGREN**

On May 3, 2005, the California Institute for Federal Policy Research held a breakfast featuring remarks by Rep. Dan Lungren (Folsom). Elected in November 2004, Rep. Lungren serves as a member of the House Homeland Security, Judiciary, and Budget Committees. On the Homeland Security Committee, he was appointed Chairman of the Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity. Rep. Lungren represents the 3rd District, which includes portions of Sacramento and Solano County, as well as all of Alpine, Amador, and Calaveras Counties.

A Southern California native, Rep. Dan Lungren received his undergraduate degree from the University of Notre Dame in 1968, studied law at the University of Southern California, and received his law degree from Georgetown University Law Center in 1971. He was first elected to Congress from Long Beach in 1978 and served ten years in the House (he has retained his seniority from that tenure). Lungren also served as California's Attorney General from 1991-1999.

Following an introduction by California Institute Executive Director Tim Ransdell, Rep. Lungren spoke about how the political atmosphere has changed in Washington since his earlier service as a legislator, and various aspects of Congressional life. He noted that grueling schedules and constant travel make it difficult for Members of Congress to form the bipartisan relationships necessary for most effective governance. Furthermore, he mentioned how changes in communications technology, namely computers, email, and cell phones, have fundamentally altered the way a representative communicates with his fellow legislators and constituents. Rep. Lungren also discussed his unhappiness with how the Senate has handled the nomination of Janice Rogers Brown for the federal circuit court and his concerns with, and hopes for, U.S. homeland security policies.

The Institute holds these bipartisan delegation breakfasts as a way for its supporters to hear the views of members of the California delegation.

## **STATE PASSES TOUGH SMOG RULES; REPORT FINDS 14 CALIFORNIA COUNTIES AMONG NATION'S 25 MOST OZONE POLLUTED**

On Thursday, April 29, 2005, the California Air Resource Board (CARB) voted unanimously to approve the nation's strictest smog standards. The new regulation will lower ozone limits to an average of 0.070 parts per million over an eight hour period, as opposed to a 0.085 average as mandated by federal regulations. The CARB cited evidence that air pollution may be more harmful to human health than previously believed. According to the Los Angeles Times, state officials estimated that if the new standards were met, the state would experience "580 fewer premature deaths a year, 3,800 fewer hospitalizations due to respiratory problems, 600 fewer asthma related hospital visits among children, and 3.3 million fewer school absences for children 5 to 17." However, because the state has no means to enforce the new standards, the passing of the regulations is largely a symbolic gesture. Whereas a failure to meet federal regulations can result in the loss of federal transportation funding, failure to meet the state's new standards will not result in any penalty. According to the Times, the new standards "essentially represent the state's view of what constitutes clean air."

In the same week, the American Lung Association (ALA) released its annual "State of the Air" report. California's cities and counties fared poorly by almost every metric. The state was home to 6 of the 25 metropolitan areas most polluted by year-round particle pollution (including the three worst), 9 of the 25 counties most polluted by long term particle pollution (including the five worst), 9 of the 25 most ozone polluted cities (including the five worst), and an astounding 14 of the 25 counties with the worst ozone air pollution (including the seven worst and nine of the ten worst.) The state had 28 counties that received a grade of "F" for their number of high ozone days and 19 counties received a grade of "F" for particle pollution. The report also cited new evidence that "air pollution can cause premature death."

To view the ALA's full report, visit <http://www.lungusa.org/site/pp.asp?c=dvLUK9O0E&b=22542> .

## **NUNES APPOINTMENT TO WAYS & MEANS FORMALIZED**

On May 5, 2005, the House Republican Steering Committee made official the appointment of Rep. Devin Nunes (Tulare) to the House Ways and Means Committee. He had been selected in January to serve on the committee, which is chaired by Rep. Bill Thomas (Bakersfield), but Rep. Nunes took a temporary leave of absence, pending the departure of fellow Republican Rob Portman upon his confirmation as United States Trade Representative. Nunes commented, "It is a great honor for me and a tremendous opportunity for my constituents to have a voice on this committee."

In January, Rep. Mike Thompson (St. Helena) also became a new member of the committee after the passing of senior committee member Rep. Bob Matsui. (Winning a special election in March, Matsui's widow, Rep. Doris Matsui (Sacramento) was appointed to the House Rules Committee, which Rep. David Dreier (Covina) chairs.)

### **MAY 13 BRIEFING RE NATIONAL IGNITION FACILITY**

On Friday, May 13, 2005, experts from the University of California and Lawrence Livermore National Laboratory (LLNL) will give a briefing regarding progress on, and applications of, the National Ignition Facility (NIF), the world's largest science project, which is currently under construction in California. The briefing will take place at 11:30 a.m. in Room 1539 of the Longworth House Office Building. There will be limited space at the briefing, so those interested should contact Christie Schomer at [Schomer1@llnl.gov](mailto:Schomer1@llnl.gov) or (202) 494-1905 in order to attend.

Employing 192 high-powered laser beams, the NIF facility will support the Department of Energy's Stockpile Stewardship Program. It will offer a cutting-edge scientific tool to advance research into the potential of inertial confinement fusion as a clean energy source, one that could play a crucial role in the future economy, as well as advance basic science research in physics and astrophysics.

For more information regarding NIF, visit <http://www.llnl.gov/nif/>.