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## California Capitol Hill Bulletin

### Volume 13, Bulletin 10 – April 6, 2006

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.

#### SENATE APPROPRIATIONS COMMITTEE REPORTS SUPPLEMENTAL; INCLUDES FUNDING FOR DELTA FLOOD CONTROL IN CALIFORNIA

The Senate Appropriations Committee reported its version of the emergency supplemental appropriations bill on April 5, after approving an amendment by Sen. Dianne Feinstein, co-sponsored by Sen. Barbara Boxer, that allocates \$22.3 million to California for reinforcing the levees and maintaining flood control. “This funding would contribute to achieving 100-year flood protection for 95 percent of Sacramento,” Sen. Feinstein said. “And it funds long-term planning efforts.”

In February, 28, 2006, Governor Arnold Schwarzenegger and Senators Feinstein and Boxer urged the federal government to provide more funding for levee repairs and flood control in the Sacramento-San Joaquin delta. See, *Bulletin, Vol. 13, No. 6 (3/6/06)*. The funding would be allocated as follows:

- South Sacramento Streams - \$6.25 million - The project in southeastern Sacramento County includes building 12 miles of floodwalls and constructing 13 miles of levee improvements. The completed project improvements will provide minimum 100-year protection to over 100,000 residents.
- Sacramento River Bank Protection - \$11.3 million - The project north of the City of Sacramento provides erosion control bank protection for the Sacramento River Flood Control Project levees. One hundred eighty-three actively eroding sites on levees banks have been identified, 29 of which are considered to have a high potential for failure during the next high water event.
- American River Common Features - \$3.255 million - This project includes levee improvements along the lower American River and Sacramento River. When complete, these improvements will protect the 50,000 residents of Rancho Cordova in eastern Sacramento County as well as 400,000 City of Sacramento residents downstream.
- Delta Islands and Levees Feasibility Study - \$1.25 million - This long term feasibility study to conduct the Delta Risk Management Strategy identifies the levees and islands in need of repairs beyond the short term authorized CalFed work.

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- Short-term Delta levee assessment (CALFED 180-day study) - \$250,000 - This funding goes to continue coordination and initiate design data collection on projects related to the recommendations found in the Sacramento - San Joaquin Delta Report to Congress (180-day report).

For more information, visit Senator Dianne Feinstein's website at <http://www.feinstein.senate.gov> .

The Senate's supplemental bill totals \$106.5 billion in emergency funding. Included is \$72 billion in funding for Iraq and Afghanistan; \$27 billion for hurricane recovery efforts; and an additional \$4 billion for agricultural disasters.

For further information on the supplemental, go to the Senate Appropriations website at: <http://www.appropriations.senate.gov> .

## SENATE MAY HAVE COMPROMISE ON ILLEGAL IMMIGRATION

After spending most of the week at an impasse over what to do with the estimated 11-12 million undocumented immigrants currently in the United States, the Senate appeared close to "a huge breakthrough," in Majority Leader Frist's words, on Thursday night. If the details of the compromise can be worked out, the Senate may be able to vote on the underlying bill, as amended, on Friday, April 7<sup>th</sup>, before adjourning for the Easter/Passover break.

The compromise, based on a proposal first proffered by Sens. Mel Martinez (FL) and Chuck Hagel (NE), would break up illegal immigrants into three groups:

- those in the U.S. for more than five years, would be able to stay in the United States while adjusting to legal residence and eventual citizenship. They would still have to meet the requirements contained in the Senate Judiciary Committee's bill, such as learning English, and paying application fees and back taxes. About 7 million undocumented immigrants are estimated to be in this group.
- those in the U.S. for over two years, but less than five – thought to be about 3 million, would have to file for a temporary work visa within three years, and leave the United States to obtain that visa from one of about 16 official points of entry. They, too, would pay fines based on how long it took them to file for a temporary work visa. After receiving a temporary work visa, they would then be eligible for a green card and citizenship based on availability under the terms of the Judiciary Committee bill.

- those immigrants in the U.S. for less than two years – about one or two million – would have to return to their native countries and apply for entrance to the U.S. either through the temporary guestworker program in the bill or another legal track.

The compromise would also temporarily increase the number of employer-based green cards from 290,000 to 450,000.

If the compromise is accepted, the Senate still faces tough negotiations with the House in conference. The House bill only deals with strengthening border security and enforcement and does not contain any provisions dealing with the current illegal immigrants in the U.S. or with establishing a new guestworker program.

## SENATORS ASK EPA TO ALLOW STRICTER EMISSIONS REGULATIONS IN CALIFORNIA

Senators Dianne Feinstein and Olympia Snowe (ME), were joined by 19 other senators in requesting that the Environmental Protection Agency allow California to enforce tighter regulations on vehicle emissions. If EPA grants California's waiver, other states then would have the choice of implementing either California's or the Federal Government's regulations.

In 2004, California air regulators passed regulations to reduce exhaust from cars, trucks and sport utility vehicles. These restrictions will help to lower both fuel and maintenance costs, proponents say. The new standards will take effect in the model year 2009 and phase in over the following eight years to reduce global warming emissions by up to 30 percent by model year 2016. According to the Senators these “standards can be met with technology already on the market.” Under Section 209(b) of the Clean Air Act, in order for California to implement the new standards, it must obtain a waiver from EPA. Only then can other states adopt the California regulations.

During the past 30 years the EPA has approved California’s more than 40 waiver requests. The EPA will only interfere with California’s right to implement new vehicle emission standards if opponents to the waiver determine that the state has not sufficiently shown that its “standards are needed and feasible.” The letter from the Senators, which was sent to EPA Administrator Stephen L. Johnson, argues that the newest waiver to the Clean Air Act should also be approved.

According to the letter, the waiver of the Clean Air Act is important not only California, but also to states such as Maine, because California made the initial efforts to improve air pollution by restricting greenhouse gas emissions. It addressed the seriousness of global warming due to air pollution before the federal government acknowledged the issue. Therefore, by law, California is not required to adhere to federal regulations, but rather implement its own state standards on air pollution. Additionally, other states such as Maine, can then choose between adhering to federal regulations or implementing those of California.

More information is available at <http://www.feinstein.senate.gov> .

### **NEW DEVELOPMENT IN FUNDING QUESTION SURROUNDING CALIFORNIA-BUILT C-17**

The passage of the supplemental bill by the Senate Appropriations Committee on Tuesday provided some encouragement to California lawmakers and others who had feared losing the production of the Long Beach-built C-17 aircraft. The Pentagon has announced its desire to end production in 2008.

In addition, Australia is interested in buying the contract to build the C-17, a cargo plane produced by Boeing. The Australian government may procure as many as four of the heavy-lift aircraft.

A recent letter signed by a majority of California delegation members sought to postpone the program’s termination. Senator Dianne Feinstein joined other California representatives in fighting to retain the C-17 contract, arguing its importance to U.S. strategic air capabilities, as well as to the Long Beach economy and the 6,500 jobs dependent on it.

The US Air Force has stated that it wants to obtain seven additional C-17s, and it lists this goal as its Number 1 unfunded requirement. Such orders may keep the Long Beach facility open long enough to extend C-17 production into 2009, allowing the manufacturers to seek additional sales.

Still \$1.6 billion short of the funds needed to ensure the continued manufacture of the C-17 through fiscal year 2011, the FY 06 bill reported by the Senate Appropriations Committee on Tuesday added \$227.5 million for the aircrafts’ advance procurement. This addition will have to be resolved by the Conference Committee, however, since the Supplemental Appropriations bill in the House only approved a \$100 million allotment for this purpose.

For additional information about the C-17, see <http://www.boeing.com/defense-space/military/c17/index.htm> .

### **HOUSE SUBCOMMITTEE ADDRESSES CALFED CATASTROPHE READINESS**

The House Resources’ Water and Power Subcommittee held a hearing on April 6 to examine “Protecting Sacramento/San Joaquin Bay-Delta Water Supplies and Responding to Catastrophic Failures in California Water Deliveries.” The Subcommittee, chaired by Rep. George Radanovich (Mariposa), heard from a number of witnesses, including: Gary Giovanetti, Vice Mayor, City of Stockton; Jonas Minton, Senior Project Manager, The Planning and Conservation League; Lester Snow, Director, California Department of Water Resources; Brigadier General Joseph Schroedel, Commander and Division Engineer, South Pacific Division, U.S. Army Corps of Engineers; Kirk Rodgers, Regional Director, Mid-Pacific Region, Bureau of Reclamation; William Lokey, Operations Branch Chief, Response Division, Federal Emergency Management Agency.

In addition to Chairman Radanovich, most California members of the Committee attended the hearing, including: the Subcommittee’s Ranking Member Grace Napolitano (Norwalk), full Committee Chair Richard

Pombo (Tracy), former Subcommittee Chair Ken Calvert (Corona), Jim Costa (Fresno), and Dennis Cardoza (Atwater).

All of the members and the witnesses agreed that the Bay-Delta estuary was vulnerable to catastrophic flooding, such as that experienced in New Orleans after Hurricane Katrina, and that it is imperative that action be taken now to protect the Delta. Less consensus, however, was apparent when the discussion turned to the best way to accomplish this. Chairman Radanovich was eloquent in his argument that the best way, bar none, to fix the problem was construction of the Auburn Dam, but that it carried so much baggage that everyone just talked around it, rather than address the issue head on. He and Chairman Pombo were also able to elicit from the witnesses that the Delta could not have 500-year flood protection without the Auburn Dam. On the issue of the peripheral canal, however, there was less support, with most acknowledging that the canal would be a water conveyance system and would not be very effective at taking pressure off the levees.

In their testimony, Water Resources Director Snow and BOR Director Rodgers addressed the current situation with the San Joaquin River, where the water flows are above capacity and expected to remain that way for several weeks. On Tuesday, several hundred people had to be evacuated for the day from areas around Sacramento after a levee breach in Merced County. The levee was repaired and flood water rerouted. Snow and Rodgers testified that flood operations centers have been activated to coordinate the weather forecasts with reservoir water release strategies and potential flood strategies. Currently at peak, 30,000 cubic feet per second (cfs) is flowing with sustained flow levels of 20,000 cfs expected for the next several weeks because of recent storms. Because these levels are above normal, the state and the Bureau are monitoring the situation closely to prevent any further breaches, if possible.

Testimony of all the witnesses can be obtained at: <http://www.resources.house.gov> .

## **HOMELAND SECURITY HOLDS HEARING ON LUNGREN & HARMAN'S SAFE PORT ACT**

On Tuesday, April 04, 2006, Department of Homeland Security Deputy Secretary Michael P. Jackson testified on H.R. 4954, a bill sponsored by Rep. Jane Harman (Venice) and U.S. Homeland Security Subcommittee Chairman Dan Lungren (Folsom). The bill, "Security and Accountability for Every (SAFE) Port Act," outlines measures for enhancing port security and creating a more comprehensive system for the inspection of containers en route to the United States.

Chairman King opened the hearing by acknowledging the critical nature of the bill, particularly considering the recent controversy over the Dubai ports transaction. He also called attention to the broad bipartisan support for the bill, which passed unanimously in the subcommittee, and articulated his hope for House and Senate cooperation in ensuring its passage.

Economic Security, Infrastructure Protection, and Cybersecurity Subcommittee Chair Lungren described the main goals of the bill: the extension of our security borders beyond U.S. shores to prevent threats from reaching the U.S.; the tracking of containers en route to the United States through greater international cooperation; and a more comprehensive screening process at the site of cargo departures.

Sec. Jackson cited the importance of this bill with its multilayered approach to maritime security. Specifically, he supported the bill because it would create a network that would ensure against "single point failure". Among the more contentious issues emerging during the hearing and directed at Jackson were the deliberations associated with the Transportation Worker Identification Credential (TWIC). TWIC was originally designed for use with aviation security, and is now being integrated into maritime use. It assesses the potential threat of each worker based on their credentials and how substantial a threat the abuse of their access or authority would pose. Jackson acknowledged the delays in TWIC implementation and made a commitment to its timely implementation.

Jackson was also quizzed on the statistics being cited that allege only about 17% of those containers that were deemed high risk are actually inspected abroad. In response, he described what he argued are two important distinctions to be made, one between screening and inspection, the other between request and referral. According to Sec. Jackson, the statistics showing a low proportion of cargo inspection are misleading because they omitted these distinctions. He argued that a more accurate measure indicates that 89% of those containers that the U.S. recognizes as risk-posing are indeed inspected before their departure to our shores. The discrepancy is because of the confusion between "referral" and "request." Jackson testified that a referral occurs when, because of a lack of knowledge about the particular cargo or its safety, the U.S. requests more comprehensive information from the

government where it is located about its contents and destination. A request, in contrast, refers to a situation where the U.S. has information suggesting the container does pose a risk, and demands the inspection of the container by the foreign government before it is sent on to the U.S. When these requests occur, according to Jackson's testimony, 89% of the time the containers are in fact inspected abroad, and the remaining 11% are inspected immediately upon their arrival in the U.S. He noted, however, that the Department is working on eliminating that remaining 11 percent.

For further information, go to the committee's website at: <http://hsc.house.gov> .

## **SENATE PANEL HOLDS HEARING ON THE GREENLANE MARITIME CARGO SECURITY ACT**

A hearing was held Tuesday in the Senate Committee on Homeland Security and Governmental Affairs to consider the most recent initiative addressing the enhancement of port security. Witnesses included: Senator Patty Murray (D-WA) and Reps. Dan Lungren (Folsom) and Jane Harmon (Venice), the authors of similar House legislation (see related article in this Bulletin), Deputy Secretary of the Department of Homeland Security Michael P. Jackson, and a panel of experts.

Chairwoman Collins opened the hearings by expressing her satisfaction with the bipartisan and bicameral nature of this effort and emphasizing the importance of ports as a "crucial link in the transportation and supply chain. After commending Reps. Lungren and Harmon for their work in this effort, Chairwoman Collins briefly outlined the goals of the Senate bill, the GreenLane Maritime Port Security Act: to develop a strategic plan that would ensure more stringent standards of container screening and inspection; to develop precise protocols for the resumption of trade and commerce in the event of an attack; and to ensure the adherence to a more expedient process by which security measures "thus far well-conceived but spottily implemented" will be practiced. The GreenLane Act authorizes programs such as the Container Security Initiative, the Customs-Trade Partnership Against Terrorism, or C-TPAT, program, and creates a third tier of C-TPAT known as the "GreenLane." It also directs the Secretary of Homeland Security to create baseline container security standards and procedures and creates a dedicated Port Security Grant Program.

Rep. Harman complemented Chairwoman Collins on the Senate's legislation and noted that she and Rep. Lungren had gotten several ideas for their bill from it. She reiterated that port security "must be layered and strategically structured to enhance safety without disrupting the flow of trade. Terrorists will seek asymmetries in our security network and look to strike where we are weakest." Because it would be impossible to hand search every container entering the U.S., Harmon noted the House bill attempts to push out U.S. borders in order "to prevent bad actors and hazardous materials from reaching American soil in the first place."

As Harman did, Rep. Lungren also expressed satisfaction that the issue was receiving not only bipartisan, but bicameral, treatment. He praised the Senate's bill because it enhances supply chain visibility and accountability. In addition, he noted, "By involving everyone in the supply chain, including importers, freight forwarders, shippers, terminal operators, longshoremen, truck drivers and port employees, the GreenLane Act ensures accountability from the factory floor overseas to seaports here in the United States." Rep. Lungren also stated that the Customs-Trade Partnership Against Terrorism (C-TPAT) program, which is authorized for the first time in the GreenLane Act, incentivizes the private sector to share the responsibility of protecting the U.S. from terrorist attack with the federal government, by encouraging entities participating in the international supply chain, from importers to land carriers, to enter into a partnership with the Department of Homeland Security.

Sec. Jackson, while testifying that the Administration was in "substantial alignment" with the goals of the GreenLane bill, stressed that the ability for the DHS to maintain flexibility in allocating benefits and responding to changes in threat is key. At a minimum, he said, "a GreenLane program should consider several factors, especially in reestablishing the flow of commerce following an incident. The first factor is the specific nature of the incident. If the incident involved attacks by small boats or other factors not related to the security of the vessel and its cargo, recovery operations would focus less on threats presented by the supply chain. Tactical intelligence could also form a basis for considering certain vessels higher-risk, but the ability to require all containers on a vessel to be GreenLane eligible is not logistically feasible at this point in time. National priorities connected to public health and safety, or support for military logistics, are other factors that should influence the decision on reestablishing the flow of commerce following an incident. The infrastructure of the port along with the ownership and operation of specific terminals also must be considered."

For further information, refer to the Committee's website at: <http://hsgac.senate.gov> .

## **HOUSE RESOURCES REPORTS CALIFORNIA-FOCUSED BILLS**

On March 29, 2006, the House Resources Committee approved two bills of interest to California. The first, H.R. 122, sponsored by Rep. Darrell Issa (Vista), was reported out by unanimous consent after the Committee approved, also by unanimous consent, an amendment in the nature of a substitute by Rep. George Radanovich (Mariposa). The bill authorizes the Secretary of the Interior to participate in the designing, planning, and construction of permanent facilities of the Eastern Municipal Water District Recycled System Pressurization and Expansion Project. In addition, the bill limits federal costsharing to 25 percent of project costs.

H.R. 4204, sponsored by Rep. John Doolittle (Roseville), was also reported out by unanimous consent by the Committee. The bill, "American River Pump Station Project Transfer of Act of 2005, authorizes the Secretary of the Interior to transfer ownership of the American River Pump Station Project located at Auburn, which includes the pumping plant and associated facilities and easements necessary for permanent operation of the facilities, to the Placer County Water Agency. The bill makes federal costs associated with construction of the Project non-reimbursable.

For further information, go to the Committee's website at: <http://www.resources.house.gov> .

## **HOUSE AGRICULTURE AND RESOURCES COMMITTEES MARK UP AND REPORT FOREST MANAGEMENT MEASURE**

The House Agriculture Committee on April 5 reported H.R. 4200, "The Forest Emergency Recovery and Research Act," by a vote of 36-3, after accepting an amendment in the nature of a substitute offered by Chair Bob Goodlatte (VA). The bill, which has 147 cosponsors, will expedite salvage logging after natural disasters in an effort to protect soils, watersheds, and wildlife habitat and begin the process of reforestation. Federal agencies would also be exempted from some environmental review processes if emergency recovery projects have been approved in advance.

The House Resources Committee, chaired by Rep. Richard Pombo (Tracy), reported its version of the bill by a vote of 13-25 on March 29. It contained a provision giving forest managers 30 days to establish a cleanup plan after a disaster. Chairman Goodlatte's substitute in the Agriculture Committee gives managers the ability to extend this deadline by 60 days if necessary. The substitute also ensures that recovery projects follow existing guidelines for the retention of standing dead trees. Rep. John Salazar (CO) also offered an amendment to require the Forest Service to evaluate the potential to retrieve biomass for energy purposes, which was accepted.

The bill is intended to complement the Healthy Forests initiative passed by Congress in 2003 (P.L. 108-148), which permits the thinning and removal of forest debris in order to prevent wildfires. Federal agencies would be able to speed up logging operations to promote forest recovery after fires, hurricanes, ice storms, and other natural events.

For further information, go to the Resources and Agriculture Committees websites at: <http://www.resources.house.gov> and <http://www/agriculture.house.gov> .

## **HOUSE TRANSPORTATION PANEL CONDUCTS HEARING ON HR 4650, LEVEE SAFETY**

On April 6, 2006, the Water Resources and Environment Subcommittee held a hearing on HR 4650, the "National Levee Safety Program Act" to learn about the status of existing levees and challenges facing levees located in populous areas.

During the hearing, Major General Don Riley, Director of Civil Works, US Army Corps of Engineers, testified that nearly 9,000 miles of levees have been constructed by the Corps of Engineers alone. Riley stated that, to date, there is no database that captures information about these levees. He testified that through programs like the Inspection of Completed Works (ICW) and the Rehabilitation and Inspection Program (RIP), the Corps of Engineers performs inspections of flood damage reduction projects. Specifically, they are projects federally built and maintained, projects federally built and locally maintained, and projects locally built and maintained to determine eligibility for inclusion in the RIP or to determine eligibility to remain in the RIP. Riley pointed out that in most cases, levee maintenance is a local responsibility with oversight by the Corps Inspection Program. Additionally, he testified that incentives, as well as financial penalties exist for levee owners with regard to

maintenance of levees. Riley highlighted recent data that revealed that some levees were not able to provide the expected level of protection in a flood event. He also informed the Subcommittee that the Corps of Engineers was appropriated \$30 million for the National Inventory of Flood and Storm Damage Reduction projects through the emergency supplemental funds. In addition, he said that an additional \$20 million was allocated in the President's budget for FY 2007 to continue this effort. Riley testified that the database established by these funds will be up and running in the near future.

Also testifying before the Subcommittee was Peter Rabbon, Principal Engineer for the CA Dept. of Water Resources and President of the National Association of Flood and Stormwater Management Agencies (NAFSMA). In his statement, Rabbon concurred with Riley's testimony about the need for a database that distinguished between locally and federally maintained and built levees. However, Rabbon recommended that other federal agencies and programs be linked. Namely, Rabbon suggested that Federal Emergency Management Agency's (FEMA) map modernization program be linked with the Corps flood control mission. Further recommendations offered by Rabbon included increased funding for projects, increased local and regional involvement in national levee safety, support for the creation of a flood management technical advisory committee, the removal of FEMA from the Dept. of Homeland Security, and continued funding for FEMA's map modernization projects.

Additional information regarding this matter is available online at <http://www.house.gov/transportation/> .

### **ISSA PANEL HOLDS OVERSIGHT HEARING ON CONJUNCTIVE WATER MANAGEMENT**

On April 5, 2006, the Government Reform Subcommittee on Energy and Resources held an oversight hearing on conjunctive water management to highlight the growing demand for water in the western states and examine how conjunctive water management would provide a solution.

In his opening statements, Subcommittee Chairman Darrell Issa (Vista) stated that this method of water management has the potential to double the amount of on-demand water supply in California. However, Issa pointed out that the challenges to this expansion include acquiring the necessary resources to build new, or retrofit current, facilities, possible environmental problems, and lack of data on regional water tables.

Testifying before the Subcommittee was California Bay-Delta Authority's Director Joseph Grindstaff. Grindstaff explained to the Subcommittee that conjunctive water management was a three pronged approach: first, groundwater is recharged when surplus surface water is available to increase groundwater storage. In some areas this is accomplished by reducing groundwater use and substituting it with surface water, thus allowing natural recharge to increase groundwater storage. Another term for this is in-lieu recharge, according to Grindstaff. Second is to switch to groundwater use in dry years when surface water is scarce. And the third prong is to have a groundwater management institutional structure and an ongoing monitoring program to evaluate and allow water managers to respond to changes in groundwater, surface water, or environmental conditions that could violate management objectives or impact other water users. Grindstaff pointed out that lack of data, political and legal institutions, infrastructure and operational constraints, the non-integration of surface water and groundwater management, water quality, environmental concerns, and funding concerns all contribute to the challenges that face the expansion of conjunctive water management.

Anthony Pack, General Manager of the Eastern Municipal Water District, also presented testimony to the Subcommittee. Pack informed the Subcommittee that his organization had been using conjunctive water management methods for many years, spanning many acres. Pack suggested that other local agencies create similar water programs, shift control of conjunctive water management programs to local governments, promote partnerships between agencies, continue funding for new and innovative water projects, reduce bureaucratic processes (i.e. reduce paperwork), and create a regional environmental taskforce for this water purpose.

Jason Peltier, Deputy Assistant Secretary for Water and Science, Department of the Interior, also testified at the hearing, and his testimony will be available soon from the Committee's website at: <http://www.reform.house.gov> .

### **CONGRESSIONAL DAIRY FARMER CAUCUS FORMED**

On April 4, 2006, Representative Devin Nunes (Tulare) and Senator Dianne Feinstein agreed to be co-chairs of the newly formed Congressional Dairy Farmer Caucus. The goal of the caucus is focus on "promoting policy

issues that are in the best interest of a healthy national dairy industry.” Other co-chairs are: Representatives Collin C. Peterson (MN), Rick Larsen (WA.), and Randy Kuhl (NY), and Senator Arlen Specter (PA).

Feinstein said she is committed to continuing her active involvement in dairy issues because they represent the second largest agricultural commodity industry in the United States by value. The caucus will address policy issues that ensure and improve the quality of America’s dairy products, since they play a vital role in developing the nutritional health and well-being of our nation.

## **NASA GIVES GREEN LIGHT FOR DAWN MISSION**

Rep. David Dreier (San Dimas) praised NASA’s March 27, 2006 announcement that it would reinstate the Dawn Mission. The Dawn Mission, managed by the Jet Propulsion Laboratory (JPL), will restaff the project immediately. JPL is based in Pasadena and is managed for NASA by Caltech.

The Dawn spacecraft launch, scheduled for next year, will visit two of the solar system’s largest asteroids -- Vesta and Ceres -- during its nine-year voyage. The goal of the mission is to observe the properties of the two asteroids providing insight into the formation of the early solar system. Dawn will use an electric ion propulsion system and orbit multiple objects.

In early March, NASA had announced the cancellation of the mission due to technical and programmatic concerns, including an increased cost from an estimated \$373 million to \$446 million. However, JPL appealed the cancellation and was successful in having the decision overturned after overcoming several technical and programmatic hurdles.

Additional information is available on NASA’s website: <http://www.nasa.gov> .

## **PROJECT BIOSHIELD OVERSIGHT HEARING HELD**

On April 6, 2005 the House Subcommittee on Health of the Committee on Energy and Commerce held a hearing discussing Project Bioshield reauthorization. In particular, the hearing focused on the committee’s charge that Project Bioshield has been unable to follow through with requirements given to it by the committee.

Dr. David P. Wright, President and CEO of the PharmAthene, pinpointed three main issues that need to be addressed when discussing timely development and distribution of vaccines and antibiotics against biological or other dangerous pathogens. Mr. Wright, speaking on the behalf of the Alliance for Biosecurity, targeted the need and clarity for establishing a central authority. According to Wright, there are currently “too many players with too many different agendas.” As a solution, he suggested that the National Institutes of Health (NIH) create a separate committee that would act as the central figure and leader on the topic. Secondly, he suggested that the government and Bioshield create a partnership in regards to the creation of these drugs, so that there is a clear understanding about what Project Bioshield’s goals are and what is the role of the government in the process. And finally, Wright felt that a real commitment should be made towards Project Bioshield in regards to funding. Wright stated that in order for this Project to become a reality there needs to be “sufficient sustained funding” for the program.

Other panelists echoed Dr. Wright’s concerns. Mr. Bruce Cohen, President and CEO of Cellarant Therapeutics, Inc., which is located in San Carlos, California, addressed why the development of drugs against biological and chemical weapons or other dangerous pathogens proved a challenging task for small pharmaceutical companies. Cohen explained that researching and producing drugs against *anticipated* illnesses required funding that few private corporations have invested interest in. In fact, the only consumer of such a product is the government. The creation of vaccines and antibiotics is an issue of national defense, rather than one of healthcare. The government is responsible in preparing for National Defense, not pharmacies, which is who these small businesses are researching for. Researching and producing these drugs is a costly, long, and inherently uncertain process, and unless the government can ensure funding and eventual profits off of these drugs, it is often not in the best fiscal interests of these small businesses to invest their time and money in such endeavors.

Funding appears to be the source of significant issues for Project Bioshield. Although, only \$1 million of the \$5 million set aside for the project has been used, the projected costs of Project Bioshield accounts for ten times that amount. Cohen described this need for funding as “The Valley of Death.” It is the gap that exists between the funding from the NIH and the actual cost of implementing of Project Bioshield. Few companies want to take on the risk of falling into “The Valley.” Cohen stressed the need to “align small business interest with overall national concern through support and funding.”

As the hearing concluded, Rep. Anna Eshoo (Atherton) warned that, "We are not prepared." She stated that a "stockpile of medicine" is not enough" and that we need to develop new antibiotics for resistive organisms.

### **LATEST PPIC STATEWIDE SURVEY EXAMINES ATTITUDES ON INFRASTRUCTURE PLANS**

The Public Policy Institute of California interviewed more than 2,000 California adult residents via phone between March 15 and March 22, 2006, in compiling their latest Statewide Survey, which focused on predicting how Californians' views toward state government may affect the way they vote in the future.

According to the survey, Californians were highly supportive of the governor's "plan to restore and expand the states deteriorating infrastructure by spending \$222 billion over 10 years." The public strongly approved of both the Democrats' proposal to distribute "\$50 billion in bonds in 2006 and 2008 to fund a variety of public works" and the Republicans' plan of a "pay-as-you-go that would set aside 1percent of the state's annual revenue for ten years to pay for infrastructure." All of these plans up, for consideration for the June ballot, received high approval ratings from the public respondents. However, the survey found that more people preferred "paying for projects out of the general fund" (32%) than by issuing bonds (25%), raising taxes (16%) or increasing user fees (13%).

The officials' inability to follow through with their plans for reworking the infrastructure of the state has lead to the plummet in approval, according to the survey. In fact, the majority of "likely voters do not believe lawmakers and the governor can work together" to make changes for the following year.

The survey also questioned likely voters on what issue they would like addressed in the upcoming elections. First on the list was education and public schools, with 23% of the people questioned, listing it as the number one issue; the second most common issue, immigration, both legal and illegal, was cited by 14% of likely voters.

Residents also narrowed in on Proposition 82, which will appear on the June ballot, as an issue up for discussion. Prop 82 would increase the income tax on high-income residents in order to fund voluntary pre-school education for all four-year olds. Voters are divided on the issue, with 52% of them in support of the measure, 41% against it, and the remaining 7% still undecided on the matter.

The full survey may be obtained through PPIC's website at: <http://www.ppic.org> .

### **SENATE COMPANION TO AMERICAN LATINO MUSEUM ACT INTRODUCED**

On March 30, 2006, six senators introduced S. 2475, a Senate companion bill to Representative Xavier Becerra's H.R. 2134. The bill, which establishes a Commission to study the potential creation of a national museum of the American Latino Community, would explore the viability of constructing a museum focused on Latino art, history and culture.

If enacted, the bill would create a Commission of 23 members responsible, during an 18-month period following enactment, for researching a plan for establishing and maintenance a museum, as well as a fundraising plan for supporting the creation and maintenance of the Museum, and a report on outstanding issues. The Commission would also organize a national conference of both policymakers and experts to discuss the Museum's viability. All this is scheduled to take action within 18 months of the bill's passage.

The House Resources Subcommittee on National Parks held a hearing on the House bill earlier this year, at which Reps. Becerra and Ileana Ros-Lehtinen (FL) testified. The bill's sponsors hope that the Subcommittee will report the bill in the near future.

### **PEW CENTER HOLDS BRIEFING ON RECENT IMMIGRATION SURVEY'S FINDINGS**

On April 4, 2006, The Pew Hispanic Center and the Pew Research Center for the People & the Press held a joint briefing on "America's Immigration Quandary" in Washington, D.C. Both of these nonpartisan research organizations are supported by The Pew Charitable Trusts. Two research surveys were released with the goal of facilitating a better understanding about American's attitudes and opinions regarding both illegal and legal immigrants. one survey was a nationwide effort and another was targeted at five major metropolitan areas: Phoenix, Las Vegas, Raleigh-Durham, Washington DC, and Chicago. According to the briefers, 2,000 interviews were conducted nationwide, in addition to 800 interviews in each of these major cities.

The speakers present, Andrew Kohut, Robert Suro, Gabriel Escobar and Scott Keeter, clarified that the research was not designed for advocacy purposes, but rather to gain a better understanding of the overall national sentiment towards the current immigration issue. According to Kohut, one of the major findings of the survey is

that there are “numerous ambivalent attitudes about immigration, but overall approval of immigrant groups have increased.” The positive opinion of immigrants from Latin America has increased to 80% in March 2006, from 63% in April 1997. So, although discussion surrounding the United States’ current immigration issue has increased, dislike of the group has not. Actually the research concluded that people who personally know immigrants, live among them and interact with them on a daily basis like them overall, especially when contrasted with those who disapprove of immigrants but have no direct contact with them.

The survey found that in Phoenix, 55% of the people surveyed considered “immigration a ‘very big’ community problem.” Most Americans are more concerned with terrorism, the economy and job availability; the immigration issue is of concern to these respondents as it relates to national security. Regarding the criticism that immigrants take jobs and housing away from Americans, 52% of the people surveyed supported that statement; however, 41% of those surveyed claimed that the immigrants of today “strengthen the US with their hard work and talents.” In addition, 53% of the people surveyed felt that “illegal immigrants should be required to go home,” as part of any immigration program – with half of those supporting a temporary worker program while the other half did not. Another 40% felt that illegal immigrants should be allowed to remain in the United States, with 7% supporting immigrants remaining under a temporary worker program, and 32% supporting allowing immigrants the possibility of residing permanently in the states.

For additional information, visit <http://pewhispanic.org> .

### **PPIC LUNCH BRIEFING TO FOCUS ON COMMUTING AND SUBURBANIZATION IN CALIFORNIA**

For Californians, old commuting patterns have given way to a hodgepodge of travel routes and modes, according to a recent study by the Public Policy Institute of California (PPIC). The unexpected consequence of so many variations on the traditional suburb-to-city pattern is a stabilizing effect on commuting, helping to keep in check the time many Californians spend getting to work.

From 1990 to 2004, California commute times dropped by 9 percent, to 20 minutes – despite an increase in workforce size. Study author, PPIC policy analyst Elisa Barbour, noted “Routes, destinations, and commuter behavior have diversified, which can make it easier to absorb more commuting without major time effects.” Nevertheless, enough Californians have such long commutes that the state’s average time increased by 10 percent, to 27 minutes, over the past decade and a half. Moreover, the proportion of workers who commute 45 minutes or longer increased, and California’s average commute time is 10 percent higher than the nation’s average. “Despite the fact that a typical worker’s commute time went down, the increase in the state average underscores the huge variation in commuting,” says Barbour.

But through the variation weaves a common thread — the suburbanization of jobs. Commutes to suburbs comprised 48% of commutes in the state in 2000, up from 1990. “The decentralization of jobs and homes has a complicated effect on commuting, leading to both long, congested suburb-to-central city commutes and relatively short suburb-to-suburb commute times,” says Barbour. “As policymakers invest in transportation, it’s critical to consider changing commute patterns because investment choices will help shape public demand by influencing travel options and development patterns.” Statewide, 75% of Californians drive alone; 9% take carpools; 4% ride a bus; 3% bike or walk; and 1% take a subway, train, or ferry. And as far as commute times go, public transit generally cannot compete: Solo drivers have the shortest average commute (26 minutes), and transit users the longest (47 minutes).

The study’s author, Elisa Barbour, will present an overview of the report’s major findings and discuss their policy implications at a luncheon briefing. The luncheon will be held Thursday, April 20, 2006, at 12:00 noon on Capitol Hill. The exact location will be confirmed shortly and invitations will be sent via fax and email. Copies of the report, *Time to Work: Commuting Times and Modes of Transportation of California Workers*, will be available at the briefing, as well as <http://www.ppic.org> .

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