



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 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.

APPROPRIATIONS: HOUSE SUBCOMMITTEE MARKS UP COMMERCE, JUSTICE, SCIENCE BILL

The House Appropriations Commerce, Justice, Science, and Related Agencies Subcommittee approved its FY2010 appropriations bill by voice vote on June 4, 2009. The bill provides a total of \$64.4 billion in discretionary spending, about a 7 percent increase over the current FY2009 level, and about \$200 million below the President’s budget request.

Although details of the markup are not yet available, the Subcommittee was not expected to stray too much from Chairman Alan Mollohan’s (WV) proposed mark. The mark called for funding of \$400 million for the State Criminal Alien Assistance Program (SCAAP), which the President’s budget had proposed eliminating. California historically receives over 40 percent of SCAAP funding for partial reimbursement of the costs of incarcerating criminal undocumented immigrants. The mark provided a total of about \$3.4 billion for all state and local law enforcement programs, an increase of almost \$197 million over FY09 funding.

The bill also provides funding of \$298 million for the COPS hiring program, which when combined with the \$1 billion provided for the program in the economic stimulus Recovery Act (ARRA), will put 7,000 new officers on the streets. Total funding for the Department of Justice will be about \$27.75 billion, roughly six percent more than in FY09.

Funding of \$6.94 billion was provided for the National Science Foundation, about \$109 million short of the President's proposed \$555 million increase for NSF, but still a seven percent increase over FY09 levels. NASA is set to receive about \$18.2 billion, a two percent increase over 2009 levels. Total funding in the bill for investments in science, technology and innovation is \$30.6 billion, an increase of \$1.0 billion over last year. Within overall science funding, the bill provides over \$1 billion for science, technology, engineering and math – or STEM – education. For climate change, the bill provides \$2.0 billion, an increase of \$64.6 million over last year’s level.

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Full Committee mark up of the bill may come as early as next week, with floor consideration during the week of June 15, 2009. The House hopes to pass all 12 appropriations bills before adjourning for the August work period.

The California Institute will provide a more detailed analysis of the California implications of the bill in the near future. Further information can also be obtained at: <http://appropriations.house.gov>.

IMMIGRATION: SENATE JUDICIARY EXAMINES ALLOWING SPONSORSHIP BY COMMITTED PARTNERS

On Wednesday, June 3, the Senate Judiciary Committee held a hearing on "The Uniting American Families Act: Addressing Inequality in Federal Immigration Law." Witnesses included: Shirley Tan, Pacifica, CA; Julian Bond, Chairman, National Board of Directors, National Association for the Advancement of Colored People; Christopher Nugent, Co-Chair, Committee on the Rights of Immigrants, Section of Individual Rights and Responsibilities, American Bar Association; Roy Beck, President, NumbersUSA, Education & Research Foundation; and Jessica M. Vaughan, Director, Policy Studies, Center for Immigration Studies.

In his opening statement Chairman Patrick Leahy (VT) noted that currently gay and lesbian American citizens whose partners are foreign nationals are not able to sponsor their loved ones for lawful permanent residency, and as a result, many U.S. citizens have been forced to choose between their country and their loved ones. His bill would allow the partners of those citizens to immigrate to the United States, and he argued that U.S. Citizenship and Immigration Services would have no more difficulty discovering fraudulent arrangements between same-sex couples than heterosexual couples.

Ms. Tan related her story of facing deportation to the Phillippines, despite a 23 year committed relationship with her lesbian partner, which includes their 12 year old twins. Neither her partner nor her children, all U.S. citizens, could petition to prevent her deportation. It was only through the efforts of Sen. Dianne Feinstein and Rep. Jackie Speier (San Mateo) that her deportation has now been postponed until 2011. But the final resolution of her case remains in question, nevertheless.

For the testimony of all the witnesses, go to: <http://judiciary.senate.gov>.

TECHNOLOGY: HEARING ADDRESSES ICANN INTERNET OVERSEER

The House Energy and Commerce Subcommittee on Communications, Technology, and the Internet held a hearing on June 4, 2009 titled, "Oversight of the Internet Corporation for Assigned Names and Numbers (ICANN)." The hearing examined issues related to ICANN, including the expiring Joint Project Agreement (JPA) between the Department of Commerce and ICANN, as well as ICANN's proposed introduction of new generic Top Level Domains (gTLDs).

Witnesses were: Fiona Alexander, Associate Administrator, Office of International Affairs, National Telecommunications and Information Administration, U.S. Department of Commerce; Paul Twomey, Ph.D., President and CEO, ICANN; Kenneth J. Silva, Senior Vice President and

Chief Technology Officer, VeriSign; Christine N. Jones, General Counsel and Corporate Secretary, The Go Daddy Group, Inc.; Sarah Deutsch, Vice President & Associate General Counsel, Verizon Communications; and Thomas M. Lenard, Ph.D., President and Senior Fellow, Technology Policy Institute.

Since 1998 ICANN has managed the designation and allocation of Internet domain names and addresses under various contractual arrangements with the U.S. Department of Commerce.

The original 1998 MOU was most recently renewed as a Joint Project Agreement which is scheduled to expire on September 30, 2009. In his opening remarks, Chairman Rick Boucher (VA) noted that one matter that he wanted to focus on at the hearing was whether Department of Commerce oversight should be retained through renewal of the agreement or in the alternative whether oversight should be relinquished and ICANN be allowed to operate without supervision with respect to the allocation and designation of Internet domain names and addresses and associated functions.

Administrator Alexander testified that in anticipation of the September 30, 2009 expiration of the JPA, NTIA released a Notice of Inquiry (NOI) on April 24, 2009 seeking comments regarding the progress of the transition of the technical coordination and management of the Internet's domain name and addressing system (DNS) to the private sector, as well as the model of private sector leadership and bottom-up policy development which ICANN represents. The comment process for this docket closes on Monday, June 8, 2009, she noted. She also noted that the Department has been actively engaged in discussions with stakeholders related to the introduction of new generic top-level domain names (gTLDs). She also identified several issues that DOC wants to resolve before moving forward, including: maintaining the security and stability of the DNS; expanding the marketplace before effective and meaningful tools are in place to protect consumers and brand owners; clarifying the fee structure and the disposition of excess revenues given ICANN's status as a non-profit entity; and developing mechanisms to address dispute resolution recognizing the appropriate role of governments with respect to public policy issues.

Ms. Deutsch focused her testimony on the gTLD issue, expressing concern that ICANN's current plans for the expansion of the domain name system may not be compatible with its larger goal of ensuring a stable transition to private sector management and leadership. She stated that ICANN is considering accepting as many as 500 applications for new gTLDs in its initial round, with further expansion in subsequent rounds. The existing domain name space, she explained, includes 21 gTLDs such as .com, .net, .org, .edu, .info, and .biz and some 240 country-code TLDs (ccTLDs). ICANN, she said, argues "that the expansion of gTLDs will allow for more innovation, choice and change to the Internet's addressing system. However, the many existing TLD choices, combined with over 175 million registered domain names confirm that consumers already benefit from significant competition in the domain name space." She argued that ICANN needed to address four fundamental concerns before moving ahead: complete an impartial and comprehensive economic study of the domain name marketplace which explores whether there is a need for new gTLDs; ensure that consumers are adequately protected from online confusion and fraud; ensure that ICANN's rapid expansion does not jeopardize Internet safety and stability; and ensure trademark and brand protection.

For the testimony of all the witnesses, go to: <http://energycommerce.house.gov> .

HOUSING: SUBCOMMITTEE HEARS TESTIMONY ON SECTION 8 RENTAL HOUSING VOUCHER PROGRAM

On June 4, 2009, the House Finance Committee's Housing and Community Opportunity Subcommittee, led by Chairwoman Maxine Waters (Los Angeles), held its second hearing on improving the funding and administration of the Section 8 Housing Choice Voucher Program. The program provides housing assistance to low-income renters in the form of rental subsidies that usually limit the monthly rent payment to 30 percent of total household income. Witnesses included housing authorities, Section 8 residents, and housing advocates. Mr. Rudy Montiel, Executive Director of the Housing Authority of the City of Los Angeles, was one of the witnesses. Witnesses and committee members discussed specifically the Section 8 Voucher Reform Act, or SEVRA.

SEVRA, which is still in draft form, is seen by advocates as being crucial to updating the voucher program. Major provisions include: a change to the formula that HUD uses to distribute voucher renewal funding to public housing authorities; a change to the rent-setting process; a change that is designed to encourage participating families to earn extra income; a change to the home inspections process and applicant screening process; and an authorization for an additional 150,000 vouchers for 2010. "The Los Angeles housing market remains one of the most expensive by national standards. Families pay a disproportionate share of their income for housing in Los Angeles, compared to other MTV sites," said Mr. Montiel, who advocated in favor of SEVRA.

The draft that the committee discussed is similar to H.R. 1851, which was passed by the House in 2007. The Senate version of the 2007 legislation, S. 2684, failed in the Senate Committee on Banking, Housing, and Urban Affairs.

The first hearing in this series was held on May 21, 2009. Witness testimony and more information can be found at: <http://financialservices.house.gov/hearings.html> .

CAPITOL HILL: REP. HOWARD "BUCK" MCKEON ANNOUNCES BID FOR LEADING REPUBLICAN POST ON HOUSE ARMED SERVICES COMMITTEE

Rep. Howard P. "Buck" McKeon (Santa Clarita) announced his intention to run to become the top Republican member on the House Armed Services Committee. The announcement follows President Obama's appointment of the current ranking member, Rep. John McHugh (NY), as Secretary of the Army.

Rep. McKeon announced his candidacy in a statement released Tuesday, June 2, 2009, stating that "after 14 years on the House Armed Services Committee and three years as the leading Republican on the Education & Labor Committee," he has decided to submit his name for the House Armed Services ranking member position. "The coming years are poised for tough challenges for our men and women in uniform and I stand ready to lead as a strong voice for Republicans."

More information can be found at: <http://mckeon.house.gov/> .

LAW ENFORCEMENT: POLICING LOS ANGELES UNDER A CONSENT DECREE: THE DYNAMICS OF CHANGE AT THE LAPD

After the 1991 beating of Rodney King and the corruption scandal of 1999, the U.S. Department of Justice announced that it had enough evidence to sue the City of Los Angeles Police Department for a "pattern and practice of police misconduct." In late 1999 the City entered into a "consent decree" which obligated them to adopt reforms. Over the course of the last decade, LAPD has completed what some have called one of the "most ambitious experiments in police reform ever attempted in an American city."

A report released in May, 2009 by Harvard researchers and professors Christopher Stone, Todd Foglesong and Christine M. Cole examined the LAPD experience with the consent decree, and conducted one of the most comprehensive assessments of a police department. The report highlights promising results and findings. Specifically:

- 83 percent of LA residents say that the LAPD is doing a good or excellent job;
- the frequency of the use of serious force has fallen each year since 2004;
- while some Officers raise concerns that the consent decree inhibits them, there are no objective signs of de-policing, in fact, researchers found that both the quantity and quality of enforcement activity has risen;
- serious crime is down substantially, and recorded crime is down in every police division in LA;
- the majority of LA residents no longer rate crime as a big problem; and
- both management and governance of the LAPD have also improved.

The full report can be found at:

http://www.hks.harvard.edu/criminaljustice/publications/Harvard_LAPD_Report.pdf.

EDUCATION: PRESCHOOL ADEQUACY AND EFFICIENCY IN CALIFORNIA

A report released in May 2009 by RAND, *Preschool Adequacy and Efficiency in California: Issues, Policy Options, and Recommendations*, examines ways for improving preschool adequacy and efficiency in California. The report's author is Lynn A. Karoly.

The report identifies multiple issues, including:

- the challenges facing socioeconomically disadvantaged children who typically enter school with lower levels of readiness than their more advantaged peers; readiness gaps are manifested in sizeable achievement differences in a variety of areas,
- the quality of preschool programs, teacher education and training, and health and safety;
- a lack of enough publicly funded early care and education (ECE) programs targeted to low-income children;
- a minimal level of regulation of Alternative Payment (AP) providers;
- weak standards for key program elements for Title 5 programs; and,
- a lack of incentive to improve quality of programs.

Key findings of the report include:

- Disadvantaged children, who are more likely to start school behind and stay behind, are also the least likely to attend high-quality preschool programs.
- California's underfunded preschool system serves only half the eligible three- and four-year-olds, and the system does not reward higher-quality providers.
- Increasing access to high-quality preschool for disadvantaged children can narrow existing achievement gaps.
- In the short term, California can allocate existing resources more efficiently and provide infrastructure supports for raising quality in the future.
- In the longer term, new resources should be used to expand access to and raise the quality of preschool programs for those who can benefit most.

RAND recommends California take the following steps to improve preschool adequacy and efficiency:

- ensure high-quality programs are available for the children who need it most;
- measure and monitor quality and provide higher reimbursements to providers who achieve higher quality;
- create a well-designed, coordinated plan to prepare teachers; and
- advance toward a more efficient and coordinated system.

More information and the full report can be found at: <http://www.preschoolcalifornia.org/rand-study/> .

EDUCATION: EFFECTS OF THE CALIFORNIA HIGH SCHOOL EXIT EXAM ON STUDENT PERSISTENCE, ACHIEVEMENT, AND GRADUATION

An April 2009 report, released by the Institute for Research on Education Policy & Practice, found that the California High School Exit Exam (CAHSEE) has a negative effect on graduation rates, and that the impacts of the exam hit minority and female students the hardest. The report, which is part of a series of working papers, also found that:

- low achieving students subject to the CAHSEE requirement had slightly lower rates of persistence in high school than similar students not subject to the requirement;
- there is no evidence that students subject to the CAHSEE requirement learned more between 10th and 11th grade than those who were not subject to the requirements;
- low achieving students subject to the CAHSEE requirement have substantially lower graduation rates than similar students not subject to the CAHSEE; and,
- the disproportionate effects of the CAHSEE requirement on graduation rates appear to be due to large racial and gender differences in CAHSEE passing rates among students with the same level of achievement.

The full series of white papers can be found at: <http://www.stanford.edu/group/irepp/> .

ECONOMY: ECONOMIC DEVELOPMENT, THE LOCAL PERSPECTIVE

In May 2009 a report entitled "Economic Development: Local Perspectives," was released by the Public Policy Institute of California (PPIC). The report presented information and analysis of California's local economic development activity just before the current national economic decline. The report highlights several major findings, including:

- the number of specific local economic development activities increased;
- local characteristics such as size, employment base, resources, needs, and location within the state are related to what local governments do in the economic development field, indicating that communities respond to homegrown forces and circumstances; and
- state policies are believed by local officials to accentuate preferences for certain kinds of development, inclining local officials towards retail activity and away from employment growth and manufacturing.

Major recommendations include:

- more evaluation of the effectiveness of local economic development activities;
- state legislative and executive branch bodies should institutionalize regular communications and linkages with local governments;
- state government should more systematically focus on barriers faced by localities; and
- state policy should consider how differing local circumstances regarding wealth, poverty, tax base, and potential for inter-city collaborations might shape state actions.

The full report can be found at: http://www.ppic.org/content/pubs/report/R_509MNR.pdf

DEMOGRAPHICS: MOST HISPANIC CHILDREN NOW U.S.-BORN OFFSPRING, PEW FINDS

On May 28, 2009, the Pew Hispanic Center released a report, "Latino Children: A Majority Are U.S.-Born Offspring of Immigrants," authored by Richard Fry, Senior Research Associate, and Jeffrey S. Passel, Senior Demographer, at the Center. The report finds that Hispanics now make up more than one-in-five of all children in the United States -- up from 9% in 1980 -- and as their numbers have grown, their demographic profile has changed.

More than half of the nation's 16 million Hispanic children are now "second generation," meaning they are the U.S.-born sons or daughters of at least one foreign-born parent, typically someone who came to this country in the immigration wave from Mexico, Central America and South America that began around 1980. In 1980, a majority of Latino children were "third or higher generation" -- the U.S.-born sons or daughters of U.S.-born parents, according to the report.

Analysis of U.S. Census data in the report indicates that many social, economic and demographic characteristics of Latino children vary by their generational status. First and second generation Latino children are less likely than third or higher generation children to be fluent in English and to have parents who completed high school. They are more likely to live in poverty, the authors found, but they are less likely than third or higher generation Latino children to live in single parent households.

Another characteristic that separates Latino children along generational lines is their legal status. Building on earlier research, the Center estimates that fewer than one-in-ten of all Hispanic children are unauthorized immigrants. However, about one quarter have one or more parents who is an unauthorized immigrant.

Pew Hispanic Center population projections indicate that the generational composition of Hispanic children will change again between now and 2025. The share of Hispanic children who are second generation is projected to peak soon, while the share of Hispanic children who are third generation or higher will begin to rise in the coming decade, the report finds.

The report is available at the Pew Hispanic Center's website, www.pewhispanic.org.

ENVIRONMENT: HYBRID VEHICLES BRIEFING AND DISPLAY PLANNED FOR HILL

CALSTART and other groups are joining together to host “Hybrid on the Hill Day” on June 11, 2009. The event will run from 11-4 by the Capitol Reflecting Pool off of 3rd Street, NW. The event is open to the public.

Vehicle displays of hybrid technology in trucks will be available throughout the day. At 11 a.m. an on-site briefing will discuss the state of the technology and the industry, and how federal policies can support widespread commercialization. A BBQ lunch will follow at Noon.

CALSTART is a member-supported California organization engaged in supporting a high-tech clean transportation industry.

For more information, contact Lynn Jacquez at 202-465-3000 or ljacquez@cjstrat.com.