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

**Appropriations: Senate Passes Energy & Water Appropriations; Bill Goes To President**

By a vote of 80-17, the Senate passed the Conference Report on the FY 2010 Energy and Water Appropriations (H.R. 3183/H.Rpt. 111-278) on October 15. The House passed the Conference Report on October 1st, so it is now headed to the President for his signature.

The Conference report includes $1.1 billion for the Bureau of Reclamation water programs, including $40 million for CALFED and roughly $9 million for Title XVI water recycling projects. Included in the Title XVI funding are the following California projects:

**Title XVI projects:**
- Bay Area Regional Water Recycling Project - $1,215,000
- City of Corona Water Recycling and Reuse Project - $500,000
- Hi Desert Water District Wastewater Collection and Reuse Project - $1,000,000
- Irvine Basin Groundwater and Surface Water Development Project - $487,000
- Long Beach Area Reclamation Project - $634,000
- Long Beach Desalination Research and Development Project - $670,000
- North Bay Water Reuse Project - $200,000
- Riverside-Corona Feeder – $1,000,000
- San Diego Area Water Reclamation - $2,000,000
- San Gabriel Basin Project - $89,000
- San Jose Area Water Reclamation/Reuse Program - $200,000
- Watsonville Area Water Recycling Project - $750,000

The bill also includes $4.9 billion, $131 million above 2009, for the Office of Science, including
- Basic Energy Sciences: $1.6 billion for basic research primarily on materials sciences and on chemical sciences, energy biosciences and geosciences. This work places heavy emphasis on advancing the frontiers of using ever-faster tools, including $394 million in the Advanced Scientific Computing Research program, to better understand ever-smaller and more detailed phenomena.
For further information on the bill, go to:  
http://www.calinst.org/bul2/b1628.shtml#TOC1_2 or  

**Appropriations: House passes conference report on FY 2010 Homeland Security Appropriations**


The bill includes $4.17 billion in Homeland Security Grants, almost $300 million above the request, for grants to first responders and partners in homeland security, including:

- State Grants: $950 million, matching the request and 2009, for grants used to plan, equip and train local first responders to respond to terrorist attacks and catastrophic incidents, including $60 million for Operation Stonegarden.

- Urban Area Security Grants: $887 million, matching the request and $50 million above 2009, to help high-risk urban communities prevent, respond to, and recover from terrorist attacks.

- Port Security Grants: $300 million, $50 million above the request, to assist ports in enhancing maritime domain awareness and enhancing risk management capabilities to prevent, detect, and respond to terrorist attacks.

The bill provides $60 million, $40 million below 2009, to help states comply with REAL ID, which requires state driver’s licenses to meet new standards in order to be used for federal identification purposes. Of this total, $50 million is for the driver’s license security grant program, the same as 2009, and $10 million is for REAL ID hub development.

The bill also provides for a three year extension of the E-Verify program.

Further information on the bill can be found at:  
http://www.calinst.org/bul2/b1629.shtml#TOC1_3 or  

**Resources: House passes Bay Area Water Bill**

On October 15, 2009, the House passed H.R. 2442, the Bay Area Regional Water Program Expansion Act of 2009, introduced by Rep. George Miller (Martinez) and co-sponsored by seven other California members representing the San Francisco Bay area. The vote was 241-173. On September 30th, the House failed to pass the bill under suspension of the rules, which requires a two-thirds majority. That vote was 240-170.

H.R. 2442 authorizes the Secretary of the Interior to provide financial assistance to six local water recycling projects that are estimated to create more than 8,000 acre-feet of water annually by 2010 and more than 14,000 acre-feet annually by 2025. In addition, the bill would increase the authorization ceiling for two existing water recycling projects in the San Francisco Bay area.

The recycled water from the six additional projects are expected to help (1) limit fresh water withdrawals from the Sacramento-San Joaquin Delta and (2) reduce treated wastewater discharges into the San Francisco Bay or the Sacramento-San Joaquin Delta. The federal cost share is
limited to 25% of the total cost of a project. Federal funds can be used for assistance in the design, planning, and construction of a project, but can not be used for its operation or maintenance.

Rep. Devin Nunes (Tulare) led the opposition to H.R. 2442 during floor consideration on October 15, as well as its consideration under suspension. His objection stemmed not primarily from the substance of the water recycling bill, but because it was considered under a closed rule. He and other Californians have attempted several times in the past months to attach legislative language to other bills to ease restrictions on water deliveries to the Central Valley, which is experiencing a severe drought.

RESOURCES: TRANSPORTATION EXAMINES CLEAN WATER ACT

The House Committee on Transportation and Infrastructure met on Thursday, October 15, 2009, to receive testimony regarding the Clean Water Act. The hearing focused on the adequacy of state and Federal enforcement of the Clean Water Act and whether the states and EPA have effectively used the enforcement tools at their disposal in responding to violations of the Clean Water Act.

Witnesses included: The Honorable Lisa P. Jackson, Administrator, U.S. Environmental Protection Agency; Ms. Anu K. Mittal, Director, Natural Resources and Environment Team, Government Accountability Office; Mr. Wade T. Najjum, Assistant Inspector General, Office of the Inspector General, U.S. Environmental Protection Agency; and Mr. Tom Porta, Deputy Administrator, Nevada Division of Environmental Protection, Testifying on Behalf of: Association of State and Interstate Water Pollution Control Administrators.

In his opening remarks, Chairman James Oberstar (MN) noted his concern over the lack of enforcement of the Clean Water Act. He cited a September 13, 2009, New York Times article detailing the systemic failure by Federal and State governments to enforce the Act. “These findings are significant and alarming,” Oberstar said. “The New York Times found ‘that fewer than 3 percent of Clean Water Act violations resulted in fines or other significant punishments by state officials,’ and that ‘unchecked pollution remains a problem in many states.’

He also noted that EPA Administrator Jackson recently issued a memorandum to her staff outlining a framework for the improvement of federal enforcement of the Clean Water Act. In this memorandum, Administrator Jackson wrote the following: “Data available to EPA shows that, in many parts of country, the level of significant non-compliance with permitting is unacceptably high, and the level of enforcement activity is unacceptably low.”

For the testimony of all the witnesses, go to: http://transportation.house.gov.

CLIMATE: ECONOMIC EFFECTS OF CLIMATE CHANGE LEGISLATION EXAMINED

On October 14, 2009, the Senate Energy and Natural Resources Committee held a hearing on energy and related economic effects of global climate change legislation -- specifically H.R. 2454. Witnesses included: Douglas W. Elmendorf, Director, Congressional Budget Office; Reid Harvey, Chief, Climate Change Division, Office of Atmospheric Programs, Office of Air and Radiation, EPA; Richard Newell, Administrator, Energy Information Administration; and Larry Parker, Specialist in Energy and Environmental Policy, Congressional Research Service.

According to a report released by the Congressional Research Service and the testimony of Mr. Parker, Specialist in Energy and Environmental Policy for CRS, the ultimate cost of H.R. 2454 will be determined by the response of the economy to the technological challenges presented by the bill. "The allocation of allowance value under H.R. 2454," said Mr. Parker, "will determine who ultimately bears the cost of the program." He also indicated that the interplay between nuclear power, renewable, natural gas, and coal-fired capacity with carbon capture and storage technology emphasizes the need for a low-carbon source of electric generating capacity in the mid- to long-term.

EDUCATION: ELIGIBILITY FOR STUDENT LOANS HEARING HELD

On October 14, 2009, the Higher Education, Lifelong Learning, and Competitiveness Subcommittee of the House Education and Labor Committee held a hearing on efforts to ensure student eligibility requirements for federal aid, and specifically how non-profit and for-profit colleges and universities administer and enforce student eligibility requirements for federal financial aid programs.


"Federal student aid serves a particularly important role in helping our Nation recover from the economic downturn" said Undersecretary Robert Shireman during his prepared remarks. "Last year, there was an unprecedented 20 percent increase in the number of applications filed for aid . . . . Federal student aid provides a critical safety net. In light of the vital importance of Federal student aid in these uncertain economic times, it is extremely important that we maintain program integrity and ensure that the consumers of these programs are protected."

More information can be found at: http://edlabor.house.gov.

ENVIRONMENT: HEARING HELD ON ENVIRONMENTAL LITERACY GRANT PROGRAM

On October 15, 2009, the Insular Affairs, Oceans and Wildlife Subcommittee of the House Natural Resources Committee held a hearing on H. R. 3644, sponsored by Rep. Lois Capps (Santa Barbara). The bill would direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions.

Specifically, the bill would authorize a national environmental literacy grant program and a regional Bay Watershed Education and Training (B-WET) program. Both programs focus on local watershed education. The bill would increase funding to each program gradually over a five year period.

Witnesses included Louisa Koch, Director, Office of Education, National Oceanic and Atmospheric Administration, United States Department of Commerce; Doug Siglin, Federal Affairs Director of the Chesapeake Bay Foundation; Jim Elder, Director, Campaign for Environmental Literacy. All spoke in favor of the bill. At the conclusion of the hearing, the subcommittee referred the bill to the full Committee.

More information can be found at: http://resourcescommittee.house.gov.

REPORT: BENEFIT OF FULL-DAY KINDERGARTEN IN CALIFORNIA QUESTIONED

According to a September 2009 report released by the Public Policy Institute of California (PPIC), almost half of California public school kindergarten students attend full-day classes. The PPIC examined about 200,000 kindergarten records in the Los Angeles Unified School District and found that:

- full-day kindergarten reduces the likelihood of grade retention. All the student groups examined were 5 percentage points less likely to be retained before second grade;
- full-day classes also appear to provide a small improvement in basic reading skills by the end of kindergarten; a very small improvement for first-grade reading skills was found, but this benefit is not evident for English learner students.
- little benefit was found for second-grade California Standards Test (CST) performance in English-Language Arts (ELA) or Mathematics. All students examined on average appeared to be 1.5 percentage points more likely to be proficient in ELA in second grade, but no differences were found for math outcomes or for actual ELA scores. Moreover, the ELA proficiency benefit is not evident for economically disadvantaged or English learner students.
- Contrary to expectations, there was little difference found between full- and half-day kindergartners in English fluency through second grade, as measured by California English Language Development Test
(CELDT) first and second-grade scores and by the probability of being reclassified as fluent-English proficient by the end of second grade.