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/Budget: Last FY11 CR To Fund Government Through March 4, 2011**

The Senate passed H.R. 3082 by a vote of 79-16, and the House followed later on December 21, 2010, approving the bill 193-165 and sending it to the President for signature. The bill continues funding for the government through March 4, 2011. An earlier version passed by the House would have extended funding through the remainder of FY11, September 30, 2011, but the Senate was unable to muster the votes to adopt that version. The Senate Appropriations Committee also attempted to put through an omnibus spending bill, but the inclusion of over 6,000 earmarks contributed to its derailment.

Funding will increase about $1.16 billion over FY10. It maintains full funding for Pell Grant awards at their maximum level of $5,500 and also provides additional money for the Low Income Home Energy Assistance Program (LIHEAP) through the winter months. The bill also extends the authorization for surface transportation programs to ensure that State departments of transportation and local transit agencies will be able to continue their ongoing infrastructure investments. Civilian federal wages are frozen for two years. The bill also allows the Commissioner of U.S. Customs and Border Protection to maintain the level of Customs and Border Protection personnel in place in the final quarter of FY 2010. It also extends the existing Federal Emergency Management Agency (FEMA) authority to provide technical and financial assistance to States and localities for predisaster hazard mitigation activities. Also, it extends the TANF block grant and Child Care Entitlement to States program at their current level through the duration of the CR.

The bill does not include additional funding for the Centers for Medicare and Medicaid Services (CMS) to implement the new health care law, although it had been included in previous versions of the CR.

Further information can be found at: [http://appropriations.house.gov/](http://appropriations.house.gov/).
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EDUCATION: CONGRESS SENDS COMPETES ACT TO PRESIDENT

After the Senate gave unanimous consent on December 17, 2010, the House on December 21st passed H.R. 5116, the America COMPETES Reauthorization Act by a vote of 228-130. The bill authorizes $45.2 billion over three years for science and technology research and education programs to develop a national competitiveness and innovation strategy to advance American competitiveness. The funding includes $23.5 billion for the National Science Foundation, $2.9 billion for the National Institute of Standards and Technology, $16.9 billion for basic research at the Energy Department and $912 million for the Advanced Research Projects Agency-Energy (ARPA-E).

The Senate amended the bill prior to passage to reduce the House’s proposed funding of $85.6 billion over five years. The initial House bill passed May 28, 2010. In doing so, several previously-passed House provisions were dropped from the final version, such as an authorization of multidisciplinary energy technology research centers, known as energy innovation hubs.

The bill includes a provision to encourage and facilitate technology transfer and commercialization of innovations occurring in university laboratories. It also expands Ph.D. fellowships by allowing NSF to match industry donations for fellowship programs and allow universities to use up to five percent of grant amounts toward patent applications for inventions generated by the research.

Federal loan guarantees for innovative technologies in manufacturing are provided, as well as NSF grants to support post-doctoral fellowship programs in STEM (Science, Technology, Engineering and Math) fields. The bill also authorizes continued funding for ARPA-E for an additional three years.

For more information, go to: http://science.house.gov/.

ENERGY: DIESEL EMISSIONS REDUCTION ACT SENT TO PRESIDENT FOR SIGNATURE

The House on December 21, 2010, passed the Diesel Emissions Reduction Act (DERA) under suspension of the rules by voice vote. The Senate passed the bill, H.R. 5809, by unanimous consent on December 16th.

The bill is a five-year reauthorization of the 2005 program which established voluntary national and state-level grant and loan programs to reduce diesel emissions by upgrading and modernizing older diesel engines and equipment. Senator Barbara Boxer co-sponsored the bill in the Senate, and Reps. Doris Matsui (Sacramento) and Laura Richardson (Long Beach) were House sponsors.

DERA funds are used to clean up the nation’s older diesels, by retrofitting or replacing them with new technologies that significantly reduce soot and emissions. EPA estimates there to be an estimated 11 million older diesel trucks, buses, and equipment in use today. When all of today’s older diesels have been replaced by new models that meet current EPA standards, at least 110,000 tons of particulate matter (or soot) and 2.6 million tons of smog-forming nitrogen oxides will be eliminated from the nation’s air. This is the equivalent of taking 13 million of today’s trucks off the roads.

The bill would authorize $100 million annually for the program for fiscal years 2012 through 2016.
For more information, go to: http://epw.senate.gov or http://energycommerce.house.gov.

ENVIRONMENT: CONGRESS APPROVES “GET THE LEAD OUT” BILL

The Senate passed the “Get the Lead Out” bill, S. 3874, on December 16, 2010. The House followed suit on December 17th, passing the bill by a vote of 226-109 under suspension of the rules.

The bill lowers the federal “lead-free” standard for newly installed pipes and plumbing fixtures. It mirrors California law and specifies that plumbing fixtures may contain no more than a weighted average of 0.25% lead. The current national “lead-free” standard is 8%.

The Senate bill was sponsored by Sen. Barbara Boxer, and co-sponsored by Sen. Dianne Feinstein. In the House, Rep. Anna G. Eshoo (Palo Alto) introduced a companion bill, H.R. 5289, which was incorporated into H.R. 5320, the Assistance, Quality, and Affordability Act of 2010 (AQUA), which passed the House on July 30, 2010.

The legislation is supported by a broad coalition of industry, government and environmental organizations, including the Association of California Water Agencies. President Obama is expected to sign the bill into law.

For more information, go to: http://thomas.loc.gov or http://epw.senate.gov.

IMMIGRATION: SENATE DEFEATS DREAM ACT CONSIDERATION

The Senate voted 55-41 not to invoke cloture on the Dream Act, H.R. 5281, on December 18, 2010, killing the bill for the 111th Congress. Sixty votes were needed to move the bill forward. The House had passed the bill on December 8th by a vote of 216-198. The Senate had also voted against cloture on December 9th.

The bill would have provided a path to citizenship for thousands of young people brought into the United States illegally in their youth, as long as they met certain requirements, such as attending college or joining the military.


APPORTIONMENT: REAPPORTIONMENT OF CONGRESSIONAL SEATS DETERMINED; CALIFORNIA STAYS THE SAME

The Census Bureau on December 21, 2010 released decennial state population counts for 2010. Among other things, the numbers drive apportionment of Congressional Districts among the 50 states.

California will remain at 53 House seats for the next 10 years – five election cycles. With a final 2010 census count of 37.3 million Californians -- or 12.1% of the US total population – the state apparently came within a few thousand residents of losing a seat in Congress (only Minnesota was closer to the cutoff).

The largest gains come in Texas, whose delegation will grow from 32 to 36 after the 2012 elections, and Florida, which gains two seats. Six other states – all of them also in the South or West – will see single-seat gains: Arizona, Georgia, Nevada, South Carolina, Utah, and Washington.

The Congressional seat losses were almost exclusively in the Northeast and Midwest. Both New York and Ohio will give up two seats. Single-seat losses are facing Illinois, Iowa, Massachusetts, Michigan, Missouri, New Jersey, and Pennsylvania – as well as the sole non-rustbelt state, Louisiana, which has not recovered from a post-Katrina exodus.

Based on a new round of block-level data that Census will release by the end of March, all states will begin designing districts next year for the November 2012 elections. In most states, the governor and state legislature control district assignments, thereby affording politicians in states with strong party control the opportunity to affect Congressional power via creative re-mapping. Republicans' state house strength in the growth states is likely to marginally strengthen GOP influence in the House of Representatives for the
coming decade. Following voter approval last month of Proposition 20, California will join a small minority of states without partisan redistricting – a non-partisan commission will draw its Congressional map.


INFORMATION TECHNOLOGY: FCC ADOPTS “NET NEUTRALITY” RULES

On December 21, 2010, the Federal Communications Commission adopted an Order on Internet network management practices that will prevent online service providers from adopting practices that discriminate in handling online traffic. The Order, however, places very few restrictions on the growing field of wireless networks, and does not attempt to reclassify the FCC’s jurisdiction over broadband services. Nevertheless, the rules have generated opposition as an attempt to regulate the Internet, and as a threat to future innovation.

The rules to preserve “Net Neutrality” bar Internet broadband providers from unreasonably discriminating in the transmission of lawful network traffic. Also included are provisions:

- requiring broadband providers to disclose to their network management practices, including performance and terms of use
- preventing broadband Internet providers from blocking lawful content or applications, as well as the connection of “non-harmful devices”
- barring mobile broadband providers from preventing consumers accessing lawful websites or using applications that compete with the provider’s voice or video telephone services.

More information can be found at: http://www.fcc.gov/.

NATURAL DISASTERS: PRE-DISASTER MITIGATION ACT GOES TO PRESIDENT FOR SIGNATURE

Congress cleared for the President’s signature H.R. 1746, The Pre-Disaster Mitigation Act of 2009, prior to the end of the 111th Congress. The Senate agreed to the bill with an amendment under unanimous consent on December 20, 2010, and the House followed on December 21st, approving the amended bill under suspension of the rules by voice vote.

The bill reauthorizes the Federal Emergency Management Agency’s (FEMA) Pre-Disaster Mitigation (PDM) program and amends the Stafford Disaster Relief and Emergency Assistance Act to: (1) increase the amount guaranteed to each state under the pre-disaster mitigation program from $500,000 to $755,000; (2) require the President to award financial assistance under the program on a competitive basis; (3) eliminate the current September 30, 2009 termination date for the program; and (4) authorize appropriations for the program at a level of $180 million for fiscal year 2011, and $200 million for each of fiscal years 2012 and 2013.

For further information, go to: http://transportation.house.gov.

TRADE: CONGRESS CLEARS TRADE ACT, INCLUDING ADJUSTMENT ASSISTANCE

Prior to adjournment, the House and Senate on December 22, 2010 cleared for the President H.R. 6517, the Omnibus Trade Act of 2010. The House originally passed the bill under suspension of the rules on December 15th. The Senate agreed to the bill on December 22nd under unanimous consent after amending it to strike numerous individual tariff provisions. The House then agreed to the Senate amendment without objection.

The bill extends the Trade Adjustment Assistance program through February 13, 2011, giving the 112th Congress an opportunity to deal with the legislation next year. TAA had been set to expire on January 1st. It also extends the tariff preferences given Colombia and Ecuador under the Andean Trade Preferences Act.

For more information, search H.R. 6517 at http://thomas.loc.gov.
TAXES: HOUSE COMPLETES ACTION ON TAX AND UNEMPLOYMENT COMPENSATION BILL; PRESIDENT SIGNS INTO LAW

In the early hours of December 17, 2010, after delaying action earlier on the 16th, the House approved H.R. 4853, the $858 billion tax and unemployment compensation extension bill by a vote of 277-148. The President signed the bill into law on December 17th as P.L. 111-312.

Among its numerous provisions, the bill extends the 2001 and 2003 tax cuts and extends unemployment compensation. A summary of its provisions can be found at: http://finance.senate.gov or http://www.calinst.org/bul2/b1732.shtml#TOC1_1