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.

**Budget: House Passes Budget Reconciliation Act**

By a vote of 218-199, the House on May 10, 2012 approved H.R. 4966, The Sequester Replacement Reconciliation Act of 2012. The bill includes the spending cuts recommended by six House authorizing committees: Agriculture; Energy and Commerce; Financial Services; Judiciary; Oversight and Government Reform; and Ways and Means. The $98 billion in specified spending cuts in the bill replaces the across-the-board sequestration established under last year’s Budget Control Act and set to take place on January 2, 2013. The bill will result in net deficit reduction of $237.8 billion over the 2012-2022 period, according to the Congressional Budget Office, and yield savings of $310.0 billion through 2022, partially offset by a cost of $72.2 billion through 2022 for the sequester replacement provisions included in the bill.

Provisions in the bill include:
- terminating on July 1, 2012 the increased Supplemental Nutrition Assistance Program (food stamp) benefits provided under the American Recovery and Reinvestment Act of 2009 (ARRA)
- tightening eligibility requirements for SNAP
- eliminating the performance bonuses provided to states for effectively administering SNAP
- reducing the allocation under the Food and Nutrition Act of 2008 to State agencies to carry out employment and training programs for fiscal year 2013
- repealing the Prevention and Public Health Fund established under the Patient Protection and Affordable Care Act (PPACA) to supplement spending on public health programs
- repealing the Medicaid Maintenance of Effort (MOE), which prohibits a state from having eligibility standards, methodologies, or procedures under its State Medicaid or Children’s Health Insurance Program (CHIP) plans that are more restrictive than those in effect prior to enactment of the PPACA.
- repealing the Social Services Block Grant (SSBG).
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- capping the amount that can be awarded in medical malpractice lawsuits.


**Appropriations: House Passes Commerce, Justice, Science Spending**

On May 10, 2012, the House passed H.R. 5326, the FY 2013 Appropriations for Commerce, Justice, and Science (H.Rpt. 112-463) by a vote of 247-163. The bill funds the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), and other related agencies.

In total, the legislation contains $51.1 billion in funding. This is a reduction of $1.6 billion below last year’s level, and $731 million below the President’s request for these programs. The fiscal year 2012 appropriation also included an additional $200,000,000 in disaster relief assistance. The recommendation for fiscal year 2013 does not include funding for disaster relief. The Committee recommendation terminates 37 programs, resulting in savings of more than $300,000,000 from the fiscal year 2012 level and more than $140,000,000 from the President’s request for these programs.

Highlights of the bill include:
- $277,824,000 for Trade Promotion and the U.S. and Foreign Commercial Service, which is $8,020,000 above fiscal year 2012 and $40,353,000 below the amount requested. This increase is in addition to enhancements provided by the Committee in fiscal year 2012 for the National Export Initiative.
- $182,000,000 for Economic Development Assistance programs, which is $38,000,000 below the comparable non-disaster fiscal year 2012 level and the same as the request.
- $427,275,000 for National Ocean Service (NOS) operations, research and facilities.
- $65,000,000 for Pacific Coastal Salmon Recovery, which is the same as fiscal year 2012 and $15,000,000 above the request.
- $1,849,800,000 for State and local law enforcement and crime prevention grant programs, which is $377,500,000 below fiscal year 2012 and $51,413,000 above the request.
- $165,000,000 for SCAAP, an increase of $95,000,000 above the request. The Senate’s FY13 funding bill for Commerce, Justice, Science recommends $255 million for SCAAP. FY12 funding was set at $240 million.
- $72,500,000 for community oriented policing services, which is $126,000,000 below fiscal year 2012 and $217,087,000 below the request.
- $17,573,800,000 for the National Aeronautics and Space Administration (NASA), which is $226,200,000 below fiscal year 2012 and $137,600,000 below the request. Funding for Human Exploration Capabilities is $2,881,900,00, and funding for Commercial Spaceflight is $500,000,000.

During House consideration, dozens of amendments were considered, most of which failed. An amendment was narrowly adopted by a vote of 206-204 that increases funding by $126 million for the Community Oriented Policing Services program. The amendment raises funding to about $198,500,000, roughly the same level as FY12. The increased funding would be offset by cuts to NASA.
An amendment was also agreed to by voice vote that reduces funding for Periodic Censuses and Programs by $4 million and increases funding for the Office of Justice Programs State and Local Law Enforcement Assistance funds by $4 million. Another amendment that prohibits the use of funds for National Ocean Policy was agreed to by a vote of 246-174.


**APPROPRIATIONS: HOUSE SUBCOMMITTEE REPORTS FY 2013 HOMELAND SECURITY SPENDING BILL**

On Wednesday May 9, 2012, the House Appropriations Subcommittee on Homeland Security reported by voice vote the FY 2013 Homeland Security Appropriations bill. As written, the bill totals $39.1 billion in discretionary funding, notwithstanding an appropriation of $5.5 billion for disaster relief (about $393 million below the budget request). As a whole, the Department of Homeland Security (DHS) would be cut approximately $484 million in FY2013. The Transportation Security Administration (TSA) would bear the brunt of the cuts, compared to other departments within DHS. With its $422 million cut, TSA's budget would drop to $5.1 billion.

While the TSA would experience large decreases in funding, other departments and agencies under DHS would enjoy modest cuts. These include the Coast Guard and Immigration and Customs Enforcement (ICE), which would be cut but still receive more funding than the President's 2013 request. For ICE, the appropriation would be $5.5 billion, $77 million below the FY2012 enacted level and $142 below the budget request. As specified by the Subcommittee, ICE's appropriation would include "over $1.7 billion for both domestic and international investigation programs, including $35 million for the Visa Security Program, $78 million for the Office of Intelligence, and an increase of $11 million to address human smuggling and trafficking [and] $138 million to complete the deployment of the Secure Communities program, and $2.7 billion for ICE detention bed spaces...." The Coast Guard would be cut $63 million from FY2012, receiving $10 billion, about $212 million above the budget request.

Unlike ICE and the Coast Guard, other programs would see small increases in their funding compared to FY2012. Federal Emergency Management Agency (FEMA) first-responder grants would receive $2.8 billion (an increase of $400 million), with $1.8 billion reserved for state and local grants. According to the Subcommittee, the bill also "provides $670 million – the amount requested – for Assistance to Firefighter Grants and $350 million for Emergency Management Performance Grants."

Customs and Border Protection (CBP) would see an increase of $10 million to $10.2 billion. Within this funding, $68 million is for CBP's National Targeting Center, and "no less than $20 million for outreach to counter human trafficking, and $327 million for border security fencing, infrastructure, and technology."

Funding for cybersecurity would increase by $308 million from FY2012, to a level of $749 million, a figure that comes close to but ultimately falls short of the President's request.

The bill would reject proposals aimed at reducing funding for the Federal Flight Deck Officers Program, which trains and arms airline crewmembers and pilots. But it would reduce funding previously set aside for the Chemical Facility Anti-Terrorism Standards (CFATS) program, which protects chemical plants against terrorism. The Subcommittee stated "this reduction is due to significant managerial problems, program delays, and poor budget execution."

Several policy riders were attached to the bill. One would ban federal authorities from turning over guns to traffickers during sting operations unless they can guarantee the arms will be constantly under surveillance. Another prohibits DHS from sending more than 50 employees overseas for short term training
purposes like conferences or seminars. Finally, the spending bill would also bar the release or transfer of
Guantanamo Bay prisoners, using federal funds, to other states.

The full House Appropriations Committee is expected to mark up the bill in the next few weeks.
The California Institute will prepare a more detailed report on the bill from a California perspective
in the near future. For more information, go to:

AGRICULTURE: HOUSE SUBCOMMITTEE HOLDS HEARING ON SPECIALTY CROPS AND
NUTRITION IN THE 2012 FARM BILL

On May 8, 2012, the House Agriculture Subcommittee on Nutrition and Horticulture held a hearing
titled Formulation of the 2012 Farm Bill: Specialty Crop and Nutrition Programs.

Witnesses were heard on two panels. Panel I included: Mr. Jerry Lee, Environmental Services
Manager, Monrovia Growers, Cairo, Georgia; Mr. Michael Jarrard, President and COO, Mann Packing
Company, Salinas, California; Mrs. Lisa Schacht, Owner/Operator, Schacht Family Farm and Market, Canal
Winchester, Ohio, on behalf of Ohio Produce Growers and Marketers Association; Mr. Russell Libby,
Executive Director, Maine Organic Farmers and Gardeners Association, Unity, Maine; and, Mr. Dan Richey,
President and CEO, Riverfront Packing Company, Vero Beach, Florida, on behalf of the Florida Fruit &
Vegetable Association. The second panel included: Mr. Rodney Bivens, Executive Director, Regional Food
Bank of Oklahoma, Oklahoma City, Oklahoma; Dr. Ron Haskins, Senior Fellow Economic Studies Program,
the Brookings Institution, Washington, D.C.; Ms. Stacy Dean, Vice President for Food Assistance Policy,
Center on Budget and Policy Priorities, Washington, D.C.; and, Mr. Phil Blalock, Executive Director,

Mr. Jarrard expressed strong support for the Specialty Crop Grant Program, because its flexibility
has greatly enhanced the program's effectiveness in California and nationally. He also testified in support of
the Plant Pest and Disease Program, which, as part of the Farm Bill funding mechanism, supports early
detection, surveillance, threat identification, and mitigation efforts. In California, this is especially needed, as
the state faces "outbreaks of an invasive plant or pest disease on a regular basis - often from foreign
countries." Mr. Jarrard also expressed support for the Fresh Fruit and Vegetable Program, Market Access
Program, and Environmental Quality Incentives Program, among others.

Dr. Haskins testified about the Supplemental Nutrition Assistance Program (SNAP). He explained
the three main purposes of SNAP – namely that it serves as pure nutritional assistance, an economic
stabilizing mechanism, and as supplemental income for low income working families. He also detailed
SNAP's role as part of a greater safety net (to include Temporary Assistance For Needy Families and other
programs). Additionally, Dr. Haskins testified that increased poverty due to the recession that began in 2007
is significant in explaining why means-tested benefits spending through SNAP has increased 31 percent
during the Obama administration. He offered four possible changes to SNAP that would save billions of
dollars in a ten-year period. These include two proposals to change the Standard Utility allowance as well as
conversion of SNAP to a block grant (already enacted by the House) and strengthening the program's work
requirements.

Ms. Dean testified that she is "deeply concerned" about the cuts to SNAP, as determined to meet the
requirements of House Concurrent Resolution 112. These cuts "would affect every SNAP household,"
"increase poverty and hardship and could affect the economy," and "cut funds for job training at a time when
the unemployment exceeds 8 percent." She also spoke against conversion of SNAP to a block grant, saying
it would result in "substantially reduced funding levels."

For more information, go to:
HEALTH: HOUSE ENERGY SUBCOMMITTEE APPROVES FDA USER FEE BILL

On May 10, 2012, the House Energy and Commerce approved H.R. 5651 the Food and Drug Administration user fee package by a vote of 46-0. The Committee’s Health Subcommittee had approved the bill by voice vote on May 8th. The legislation reauthorizes various FDA programs for five years, including the Prescription Drug User Fee Act and Medical Device User Fee Act, and authorizes new user fee programs – the Generic Drug User Fee Act and Biosimilars User Fee Act – to facilitate the review and approval of drugs and medical devices. Under the legislation, FDA will commit to certain performance goals intended to foster more interaction, predictability, and certainty between the industry and FDA. The legislation also includes reforms aimed at ensuring that patients receive quality care and timely access to new therapies while promoting innovation and job creation.


APPROPRIATIONS: INSTITUTE REPORTS AVAILABLE ON WEBSITE

Two reports on Appropriations bills prepared by the California Institute are now available on its website:


Other reports on House and Senate appropriations bills will be posted as they become available.

HOMELAND SECURITY: HOUSE SUBCOMMITTEE HOLDS HEARING ON TRANSPORTATION SECURITY AND U.S. TRADE WITH ASIA


Witnesses were heard on two panels. The first panel included: Mr. John Halinski, Assistant Administrator, Office of Global Strategies, Transportation Security Administration; Mr. Mark Koumans, Deputy Assistant Secretary, Office of International Affairs, U.S. Department of Homeland Security (DHS); and, Hon. Hans G. Klemm, U.S. Senior Official for Asia-Pacific Economic Cooperation, Bureau of East Asian and Pacific Affairs, U.S. Department of State. Panel II included: Mr. Gary Wade, Vice President, Security, Atlas Air Worldwide Holdings, Inc., Testifying on behalf of the Cargo Airline Association (CAA); Ms. Dorothy Reimold, Assistant Director, Security and Travel Facilitation, International Air Transport Association (IATA); Mr. Roger Dow, President and Chief Executive Officer, U.S. Travel Association; and, Mr. Michael C. Mullen, Executive Director, Express Association of America.

Items discussed at the hearing included:
- The development of China's civil air sector in the last two decades, and efforts by the TSA to continue to build a partnership with Chinese counterparts in aviation, including through the Aviation Cooperation Program (ACP), a public-private partnership between the U.S. Government, the Chinese Government, U.S. industry, and the Chinese aviation industry.
- Bilateral partnerships with South Korea and Japan
- Multilateral partnerships, including those formed through the Asia-Pacific Economic Cooperation (APEC) and the ICAO, a subsidiary of the United Nations and aviation's international governing body
- The U.S. sponsorship of the Travel Facilitation Initiative (TFI) at APEC
- The complexity of, and deepening vested U.S. interest in, Asia's stability, security, and prosperity, as it relates to American national security and economic prosperity
- DHS programs in the Asia-Pacific region, including air, port, and supply chain security, as well as information sharing
- The purpose for, and importance of, U.S. participation in the Association for Southeast Asian Nations (ASEAN), which began in 2010
- The variance of air transportation and trade, and benefits of pursuing a risked-based approach to air security, versus a one-size-fits-all approach
- Challenges related to cargo security, and the development of Air Cargo Advance Screening (ACAS)
- The sizable importance of international tourism to the U.S. economy, including the top nations sending tourists in the Asia-Pacific region and how much on average those visitors spend (and thus provide in stimulus) in the economy


**Homeland Security: House Subcommittee Holds Hearing on Border Security**


Witnesses included: Chief Michael J. Fisher, Customs and Border Patrol (CBP), U.S. Department of Homeland Security (DHS); Ms. Rebecca Gambler, Acting Director, Homeland Security and Justice, U.S. Government Accountability Office (GAO); and Mr. Marc Rosenblum, PhD, Specialist in Immigration Policy, Congressional Research Service (CRS).

Chief Fisher detailed the resources and personnel available to the Border Patrol (BP) and recent significant decreases in the amount of apprehensions at the border – an indicator of decreased illegal immigration – and increased seizures of smuggled goods. "The 2012-2016 Border Patrol Strategic Plan (the Plan)," he said, "encompasses three key objectives and strategies concerning border security today." These include comprehensive support of "national-level strategies, such as the President's Strategy to Combat Transnational Organized Crime and the National Drug Control Strategy", "departmental strategies, in particular the DHS Quadrennial Homeland Security Review" and finally "CBP-wide planning and integration efforts."

The 2012 Strategic Plan "involves a set of objectives, strategies, programs, and initiatives which apply information, integration, and rapid response to develop and deploy new and better tactics, techniques, and procedures to achieve its strategic objectives." The Plan also sets the following goals, including benchmarks:

- Secure America's Borders
- Prevent Terrorists and Terrorist Weapons from Entering the United States
- Manage Risk
- Disrupt and Degrade Transnational Criminal Organizations (TCOs)
- Whole-of-Government Approach
- Increase Community Engagement
- Strengthen the BP
- Strengthen Investment in People
- Support Border Patrol Employees
- Preserve Organizational Integrity
- Improve Organizational Processes, Systems, and Doctrine
- Enhance Overall Efficiency of the Border Patrol
Ms. Gambler testified regarding the GAO's "past work highlighting the U.S. Border Patrol's progress and challenges implementing its 2004 National Border Patrol Strategy (2004 Strategy) that could be relevant to the new 2012-2016 Border Patrol Strategic Plan." She testified to some of the significant successes seen since 2004, but also to the BP's challenges. Some challenges included Integrating Border Security Operations with Federal, State, Local, Tribal, and International Partners. She also noted that in 2010, "DHS reported achieving operational control for 1,107 (13 percent) of 8,607 miles" across all U.S. borders. Of the area not under operational control, 80 percent of those border miles were along the southwest border.

Mr. Rosenblum called the approach to the borders today "prevention through deterrence." He described changes in the BP since the 1990s, including changes in number of personnel, border fencing, surveillance equipment, and new enforcement practices dubbed "enforcement with consequences." These consequences include expanded or new use of expedited removal, detention, immigration-related criminal charges, and remote repatriation. Mr. Rosenblum also discussed outcomes at the border since the 1990s and costs of border enforcement.


**Resources: Congress Passes Bill to Sell Federal Lands to the City of Tracy**

On May 7, 2012, the House passed by voice vote S. 1302, a bill to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy. The legislation was sponsored by Senators Barbara Boxer (CA) and Dianne Feinstein (CA) and supported through the House by Reps. Jeff Denham (Turlock) and Darrell Issa (Vista). S. 1302 passed the Senate in August 2011, and will now go to the President for signature.

According to Rep. Issa, "S. 1302 would direct the General Services Administration to sell 150 acres of land in Tracy, California, to the city of Tracy for not less than its appraised fair market value. This property is undeveloped land that was once under the custody and control of the Federal Government. However, the Federal Government maintains a reversionary interest in the property based on certain usage restrictions.

Through three separate pieces of legislation enacted since 1999, Congress has conveyed the 150 acres to the city of Tracy and has restricted its use of the land to educational and recreational uses only. Over the past decade, the city of Tracy has determined that these uses are no longer feasible, and it would like to utilize the land for economic development… In fact, the city expects significant commercial interest in the property…

S. 1302 would remove all restrictions currently imposed on the property by Congress and would transfer complete ownership of the land from the Federal Government to the city of Tracy. Additionally, this legislation advances the goal of the disposing of unneeded Federal property… The Federal Government takes a piece of land it has no further interest in and that it has, through congressional acts in the past, locked up for specific uses not likely to occur, and we receive full fair market value for the property."

For more information, see: http://thomas.loc.gov/cgi-bin/thomas.

**Homeland Security: House Committee Approves Four Bills**

On May 9, 2012, the House Homeland Security Committee marked up and reported four bills.

H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act, was passed by voice vote. As amended, it would change the law regarding use of Transit Security Grant Program funds. Waivers from the Department of Homeland Security (DHS) secretary would no longer be required for grant funding to be used for specialized operation teams. According to the bill's sponsor, Rep. Bob Turner (NY),
DHS Secretary Janet Napolitano said the waivers were not needed. Rep. Henry Cuellar (TX) offered an amendment that was passed by a vote of 15-9. It would mandate grant recipients to provide a plan that details how the recipient will ensure that the "capability or capacity achieved" through grant funding will continue after the grant ends.

The other three bills were approved by voice vote en bloc. H.R. 4005, the "Gauging American Port Security Act" or the "GAPS Act", would impose reporting requirements on DHS as related to port security. As written, the bill would require DHS to "conduct a study and report to Congress on gaps in port security in the United States and a plan to address them."

The Transportation Worker Identification Credential (TWIC) program would be changed under H.R. 3173. The enrollment process for the program, which utilizes biometric information on credentialed identification cards, would become more efficient as maritime workers would not have to go to an enrollment center more than once.

Finally, H.R. 2356 would create a coordinator position to oversee federal biodefense policy at the White House.

For more information, go to: http://homeland.house.gov/markup/markup-hr-3857-hr-4005-hr-3173-and-hr-2356

ENERGY: HOUSE SUBCOMMITTEE REVIEWS BILLS ON ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS AND HYDROPOWER REGULATORY EFFICIENCY

On May 9, 2012, the House Energy and Commerce Subcommittee on Energy and Power continued its hearing series on the American Energy Initiative. This hearing focused on H.R. 4273, the "Resolving Environmental and Grid Reliability Conflicts Act of 2012" and a discussion draft named the "Hydropower Regulatory Efficiency Act of 2012."

Witnesses testified on two panels. The first panel heard testimony from the following: The Honorable Patricia Hoffman, Assistant Secretary for the Office of Electricity Delivery and Energy Reliability, U.S. Department of Energy (DOE); The Honorable Gina McCarthy, Assistant Administrator for the Office of Air and Radiation, U.S. Environmental Protection Agency (EPA); The Honorable Phillip D. Moeller, Commissioner, Federal Energy Regulatory Commission; and, Mr. Jeffrey C. Wright, Director, Office of Energy Projects, Federal Energy Regulatory Commission. Panel two included: The Honorable Betty Ann Kane, Chairman, D.C. Public Service Commission; Ms. Debra Raggio, Vice President, Government and Regulatory Affairs, and Assistant General Counsel, GenOn Energy, Inc.; Mr. Stephen Brick, Consultant, On behalf of: Environmental Integrity Project; Mr. Andrew Munro, Director, Customer Service Division, Grant County Public Utility District, On behalf of: National Hydropower Association; Mr. Kurt Johnson, President, Colorado Small Hydro Association; and, Mr. Matthew Rice, Colorado Director, American Rivers.

Topics of discussion included:

- Two key changes that H.R. 4273 would make to Section 202© of the Federal Power Act: 1) provide a blanket shield to any liability for violation of any Federal, State or local environmental law resulting from any action or omission necessary to comply with a Section 202© order, and 2) provide that a Section 202© order should "require generation, delivery, interchange or transmission of energy only during times necessary to meet the emergency and serve the public interest and, to the extent reasonable, be consistent with any other applicable Federal law, including any environmental law or regulation, and endeavor to minimize any adverse environmental impacts."

- Potential problems regarding the proposed changes to section 202©, including the possibility that the proposals could: create a disincentive for some electricity generators to utilize the options for compliance that EPA has provided, increase the likelihood of conflict between electric reliability and compliance with environmental laws, and endanger public health.
- The possibility that operating a plant in compliance with a Section 202© order can result in violation of the Clean Air Act, and the complications thereof.

- How the Resolving Environmental and Grid Reliability Conflicts Act of 2012 might protect must-run generators from incurring environmentally based fines when running during a prolonged power emergency under emergency orders issued by the DOE or by the FERC. This would reduce a company's liability risk by not forcing them to choose between keeping the lights on and incurring fees to do so.

- Arguments that H.R. 4273 is unnecessary, as the DOE only issues emergency orders on very rare occasions, and that the legislation is too broad, allowing all environmental consequences (including sanctions and fees) to be bypassed any time the DOE issues an emergency authorization for a plant to run.

- The three different types of licensing processes for non-federal hydropower plants.

- The action plan developed by the Federal Energy Regulatory Commission to assist and expedite the review of small hydropower proposals, which was released in April 2010.

- The pros and cons of the Hydropower Regulatory Efficiency Act of 2012, which is intended to identify and increase U.S. hydro potential by improving the regulatory process without equating critical environmental protections with regulatory barriers.

- The fact that some small hydropower projects find the FERC exemption applications particularly lengthy and time consuming to prepare, and the FERC process can be burdensome for very small projects, where the cost of FERC compliance can potentially exceed the cost of hydro equipment.


TECHNOLOGY: HOUSE COMMITTEE HOLDS HEARING ON PRIVACY PROTECTIONS AND THE FTC

On May 9, 2012, the Senate Committee on Commerce, Science, and Transportation held a full committee hearing on The Need for Privacy Protections: Perspectives from the Administration and the Federal Trade Commission. This hearing examined the recent privacy reports that were released by the Obama Administration and the Federal Trade Commission (FTC). Both of these reports highlighted the need for federal legislation that provides baseline privacy protections to consumers.

Witnesses included: Mr. Jon Leibowitz, Chairman, Federal Trade Commission (FTC); Ms. Maureen Ohlhausen, Commissioner, FTC; and, Mr. Cameron Kerry, General Counsel; U.S. Department of Commerce.

Items discussed included:

- FTC's final report on privacy, titled Protecting Consumer Privacy in an Era of Rapid Change: Recommendations for Businesses and Policymakers (released March 2012), which "sets forth best practices for businesses to guide current efforts to protect consumer privacy while ensuring that companies can continue to innovate."

- The impending development of a "Do Not Track" mechanism within industry, and the FTC's support for that mechanism's full implementation. According to the FTC, the mechanism must be universally applied, easy for users to find and understand, and have choices for consumers' preferences that are consistent and not be deleted with changes in computer settings (such as cookies). It should also be enforceable, and it should allow customers to protect their behavioral data instead of banning only targeted advertising.

- The Digital Advertising Alliance's (DAA) efforts to implement a behavioral advertising opt-out program.

- The need to make companies' data practices more transparent to consumers, in an effort to increase understanding of privacy practices and the ability for consumers to compare companies' practices against one another, thus promoting competition.
- The importance of making certain that customers have access to the behavioral data that data brokers collect about their personal lives, because this collected data can be resold for a variety of purposes.
- Data collection from applications or "apps" marketed toward children, and how industry should address parents' need to know what and how data is being collected as their children play games or do activities digitally on tablets, computers, or smartphones.
- The increasing use of facial recognition technology, and the privacy risks that entails.
For more information: http://commerce.senate.gov/.

**INFORMATION TECHNOLOGY: RAND HOLDS CONGRESSIONAL BRIEFING ON INFORMATION SHARING**


Mr. Neil Robinson, a research leader at RAND Europe, was the speaker. Mr. Robinson is a specialist in cybersecurity issues including data protection and privacy, cloud computing, e-discovery, cyber-defence strategy, Information Assurance, information sharing, and privacy and security. He has worked with the European Defence Agency, the European Cybercrime Centre, the EU's cyber-security agency, ENISA, and various European governments.

In light of current similar debate in Congress, the briefing examined cybersecurity information sharing through a European lens. Mr. Robinson presented evidence found through three empirical studies conducted in Europe. These studies focused on cyber-security and information exchange, specifically between organizations such as Information Sharing and Analysis Centres, Information Exchanges, Computer Emergency Response Teams, and cyber-crime police.

Highlights of the briefing included:
- how operational practice diverges from theories of information exchange;
- legal factors and information exchange between different communities such as law enforcement and computer emergency response teams;
- what mechanisms are being considered in Europe to remove the barriers to information exchange;
and
- policy considerations.
For more information, go to: http://www.rand.org/congress/activities/2012/05/07.html.