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.

**IMMIGRATION: HOUSE JUDICIARY HOLDS FIRST HEARING ON IMMIGRATION REFORM**

The House Committee on the Judiciary held a hearing on Tuesday, February 5, 2013 entitled "America's Immigration System: Opportunities for Legal Immigration and Enforcement of Laws Against Illegal Immigration." At the hearing, the Committee and witnesses discussed ways to promote legal immigration, particularly for STEM (Science, Technology, Engineering, and Math) workers; to deter illegal immigration through strategies such as border and workplace enforcement; and to deal with the roughly 11 million undocumented immigrants currently living in the United States.

Witnesses at the hearing were: Vivek Wadhwa, Director of Research, Pratt School of Engineering, Duke University; Michael Teitelbaum, Senior Advisor, Alfred P. Sloan Foundation and Wertheim Fellow, Harvard Law School; Dr. Puneet S. Arora, Vice President, Immigration Voice; The Honorable Julian Castro, Mayor, San Antonio, Texas; Julie Myers Wood, President, Guidepost Solutions LLC; Chris Crane, President, National Immigration and Customs Enforcement Council 118, American Federation of Government Employees; Jessica Vaughan, Director of Policy Studies, Center for Immigration Studies; Muzaffar Chishti, Director, Migration Policy Institute, New York University Law School.

Several members of the California delegation, who are members of the Committee, were also in attendance: Rep. Zoe Lofgren (San Jose), Ranking on the Immigration and Border Security Subcommittee; Rep. Darrell Issa (Vista); Rep. Judy Chu (Monterey Park); and Rep. Karen Bass (Los Angeles).

Issued discussed at the hearing included:

- Republicans on the Committee indicated that, while they support granting more visas to high-tech foreign workers, they are hesitant to grant citizenship to immigrants who entered the country illegally. Rep. Robert W. Goodlatte (VA), the new Judiciary Committee chairman, called granting citizenship to illegal immigrants an "extreme option." Moreover, Goodlatte called for consideration of a middle-ground between "the extremes of mass deportation and a pathway to citizenship."
Committee Democrats stated they are not considering blanket amnesty, but rather a lengthy process that would involve undocumented workers paying back taxes and fees after gaining legal permanent residence and sufficiently learning English and information about the United States government. In addition, immigrants who entered the United States legally would also have priority in obtaining citizenship.

Mr. Wadhwa emphasized the importance of appreciating the benefits in technology that skilled foreign workers bring to the United States. In this context, he proposed seven recommendations: (1) increase the numbers of green cards available to H-1B holders; (2) allow spouses of H-1B visa holders to work; (3) target immigration based on required skills; (4) allow H-1B holders to change jobs without requiring sponsorship renewal; (5) extend the term of Optional Practical Training (OPT) for foreign students from one to four years; (6) institute the “Startup Visa” to encourage foreigners to engage in entrepreneurship in the U.S.; and (7) remove the country caps on green-card applications.

Panelists generally called for increased flexibility in responding to changing conditions, particularly with respect to STEM workers and visa backlogs.

Dr. Arora made several specific recommendations regarding green cards, including eliminating per country limits and recapturing previously unauthorized, but unused, green card numbers.

Mayor Castro testified that the government should create a pathway to citizenship, which he did not view as an "extreme option."

With respect to greater immigration enforcement, Ms. Wood recommended that the government better manage illegal border crossings, identify and remove criminal aliens, and stop illegal employment through methods like mandatory E-Verify. She also called for increased funding for enforcement agencies, a more efficient removal process, an expansion of the voluntary departure program, and improving the immigration court system through strategies such as endorsing appropriate prosecutorial discretion. Finally, Ms. Wood recommended that Congress take steps to assist indigent and vulnerable aliens with retaining counsel at government expense.

Ms. Vaughan expressed her desire for greater workplace enforcement in order to catch and deter undocumented workers from working illegally in the United States.

Mr. Chishti emphasized an approach that addresses the broad challenges of legal immigration and illegal immigration through effective enforcement, but also additional enforcement laws that help address future flows and labor market needs.

For more information on the hearing, go to: http://judiciary.house.gov/hearings/113th/hear_02052013.html.

RESOURCES: SENATE EPW EXAMINES IMPLEMENTATION OF CORPS OF ENGINEERS WATER RESOURCES POLICIES

On Thursday, February 7, 2013, the Senate Committee on Environment and Public Works, chaired by Senator Barbara Boxer, held an oversight hearing on the implementation of Corps of Engineers water resources policies.
Witnesses included: The Honorable Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works); Mr. Richard M. Johnson, Executive Director, Sacramento Area Flood Control Agency; Mr. Robert Turner, Regional Director, Southeast Louisiana Flood Protection Authority - East; Mr. Collin P. O'Mara, Secretary, Delaware Department of Natural Resources and Environmental Control; and Mr. Garret Graves, Chair, Coastal Protection and Restoration Authority.

Issued discussed at the hearing included:
- Assistant Secretary Darcy reported on the status of levee vegetation removal efforts, approving in-kind credit for Corps projects, establishing operating hours for Corps locks, and applying engineering standards for flood damage and hurricane protection projects. She also noted several business practice improvements, including new procedures for fish and wildlife mitigation, ecosystem restoration projects, independent peer review implementation, program and processes modernization, and drafting a compilation of laws for research purposes.
- Panelists generally praised the Corps for its relations with non-federal sponsors through partnerships in recent years, but also put forth several areas for improvement.
- Mr. Johnson discussed working with the Corps on numerous issues in recent years and made recommendations for further improving efficiency and responsiveness to partners. He focused his testimony on two topics, vegetation and credits, which were specifically addressed in Senator Boxer's Discussion Draft: Water Resources Development Act (WRDA) bill.
- Mr. Johnson prefaced his comments on levee vegetation by emphasizing the unique Natomas levee system, which contains much vegetation that is protected for environmental reasons or would be excessively costly or difficult to remove. He also discussed a General Reevaluation Report on the American Common Features Project, which calls for addressing the most vulnerable areas first and takes into consideration physical characteristics of the area. Mr. Johnson indicated his support for section 2017 of the WRDA Draft, which requires the Corps to conduct a thorough review, consult with various groups, and submit a report to Congress for vegetation removal efforts. Finally, Mr. Johnson, while praising the Corps' flexibility in the past, called for greater legislative recognition of receiving credits for non-federal work performed on levees in advance of Corps projects.
- Mr. Turner called for early contractor involvement to facilitate projects, encouragement of non-federal participation in alternative evaluation processes, and a formal dispute resolution process. He also called for improvements to the independent external peer review process to make it more efficient, a clearer in-kind credit approval process, creation of national standards for levee systems, and the use of the modified Charleston Method for computing compensatory mitigation.

For more information, go to:

**EDUCATION: SENATE HELP COMMITTEE ASSESSES STATE FLEXIBILITY WAIVERS**

The Senate Committee on Health, Education, Labor, and Pensions met on Thursday, February 7, 2013 to examine the impact and lessons learned from granting states waivers from certain provisions of the No Child Left Behind Act of 2001 (NCLB) in exchange for new commitments to improving education outcomes. As of February 7, 2013, 34 states and the District of Columbia have received waivers from NCLB in some fashion. Nine states, Puerto Rico, and the Bureau of Indian Education have requests pending, and the Administration is expecting additional states to submit requests by February 28.

Witnesses included: The Honorable Arne Duncan, Secretary of Education; Terry K. Holliday, Ph.D., Kentucky Commissioner of Education, Lexington, Kentucky; John B. King, Jr., Ed.D. , New

Issued discussed at the hearing included:

- Secretary Duncan discussed the history of NCLB, President Obama’s attempts to supplant NCLB with a new plan, and, ultimately, the President’s decision to grant waivers from certain provisions of the NCLB in exchange for a commitment to improve some other aspect of K-12 education, including higher standards that reflect college readiness and effective accountability systems. Duncan further cited several examples where states have improved education outcomes through this new flexibility.

- Panelists uniformly supported Education and Secondary Education Act (ESEA) reauthorization, which funds K-12 education and provides accountability standards.

- Panelists generally criticized the unintended consequences of NCLB, including wide variation in standards and proficiency levels across states, a focus on "teaching to the test," and confusion surrounding different state and federal accountability standards.

- Ms. Holiday reported on several successful programs in Kentucky that were implemented as a result of the NCLB waiver. As a result, graduation and proficiency rates have improved.

- Mr. King also reported success in New York but cautioned that the waiver should not be a substitute for full reauthorization of ESEA. He feels that larger issues have yet to be addressed, particularly how funds are allocated and spent. Finally, he encouraged reauthorization to better integrate early learning, which has proven successful and cost-efficient in the long-term.

- Mr. Smarick, while supporting ESEA generally, suggested that Congress delay reauthorization until at least 2015 and direct the Department of Education to intensively study the effect of the waivers. He also recommended that Congress, for the next two to three years, invest in expanding the capacity of states to build, maintain, and improve high-quality accountability systems. Finally, he advocated for better addressing the nation’s lowest-performing schools.

- Ms. Haycock also supported the idea of waivers, but expressed concern with the varying state plans, particularly with respect to accountability.

For more information on the hearing, go to:
http://www.help senate.gov/hearings/hearing/?id=a9b7a0b5-5056-a032-52dd-885ec6a64c32

**R&D: HOUSE SCIENCE, SPACE, AND TECHNOLOGY EXAMINES COMPETITIVENESS AND R&D**

The House Committee on Science, Space, and Technology met on Wednesday, February 7, 2013 to examine the status of and outlook for America’s science and technology enterprise, the roles of public versus private investments in research and development (R&D), and America’s potential for future innovation.

Witnesses included: Mr. Richard Templeton, President and CEO, Texas Instruments; Dr. Shirley Ann Jackson, President, Rensselaer Polytechnic Institute; and Dr. Charles Vest, President, National Academy of Engineering.

Issued discussed included:

- Although the U.S. still remains the leader in annual total investments by both the public and private sectors, nations such as China and India are making substantial investments in R&D and promoting policies to attract innovative companies and educate a technically-trained workforce.
- U.S. industry represents 62 percent of America's R&D investment, with more than three-quarters of industry R&D dedicated to development instead of research. By contrast, the federal government funds more than 60 percent of all basic research, characterized by longer-term activities that industry cannot afford due to the higher risks and expenses.

- Panelists emphasized the importance of federal funding in scientific research to promote America's competitiveness, economic growth, and workforce development.

- Mr. Templeton noted that the private sector focuses on later stage R&D because basic research, which is largely performed by government-funded universities, is considered too risky. Thus, federal funding provides an important catalyst for research that serves as the foundation for commercial applications. He also promoted the use of public-private partnerships in facilitating innovation.

- Panelists also discussed the need for additional funding for scientific research in order to better compete with other countries. The United States was once the leader in research intensity, or R&D as a percentage of GDP; it now ranks 8th, according to the Organization for Economic Co-operation and Development.

- Witnesses unanimously called for fixing the legal immigration system so that the United States can better retain foreign nationals who currently earn a substantial proportion of Science, Technology, Education, and Math (STEM) graduate degrees in the US.

- Dr. Jackson proposed four factors to promote an ecosystem of innovation: (1) strategic focus on important projects; (2) idea generation through basic research funding in academia; (3) translational pathways that help bring discoveries into commercial or societal use; and (4) the financial, infrastructural, and – most importantly – the human capital to support the development and exploitation of promising new technologies.

- Dr. Vest listed three major barriers to the success of the American innovation system: (1) failure of K-12 education, particularly in the STEM fields; (2) difficulty of immigrants with advanced STEM degrees to remain in the United States; and (3) an R&D tax credit that fails to appropriately encourage corporate planning and innovation due to its temporary status.

- Dr. Vest also recommended reducing or eliminating regulations on universities and sponsored research that increase administrative costs and impede research productivity.

For more information, go to:
http://science.house.gov/hearing/full-committee-hearing-american-competitiveness-role-research-and-development

**EDUCATION: HOUSE EDUCATION COMMITTEE EXAMINES EDUCATION AND EMPLOYMENT ISSUES**

The House Education and Workforce Committee held a hearing on Tuesday, February 5, 2013 on "Challenges and Opportunities Facing America's Schools and Workplaces." The hearing examined the current issues, challenges, and opportunities present in America's education and employment systems, particularly in light of the slow jobs recovery and stagnant wages.

Witnesses included: The Honorable Gary Herbert, Governor, State of Utah; The Honorable Laura Fornash, Secretary of Education, Commonwealth of Virginia; Dr. Jared Bernstein, Senior Fellow, Center on Budget and Policy Priorities, Washington, DC; and Mr. Jay Timmons, President and CEO, National Association of Manufacturers, Washington, DC.

Issued discussed at the hearing included:
- Panelists unanimously called for increased innovation and accountability in the public education system.
- Secretary Fornas discussed numerous education programs and pilot projects currently being utilized by Virginia, including implementing higher-education legislation that promotes STEM-H (Science, Technology, Engineering, Math, and Health) degrees, and expanding educational opportunity in the K-12 context through increased funding and rewarding well-performing teachers.

- She also relayed three key recommendations from a recent report on financial aid titled, "The American Dream 2.0: How Financial Aid Can Help Improve College Access, Affordability, and Completion." The report recommends the following: (1) making financial aid simpler and more transparent; (2) spurring innovations in higher education that can lower costs and meet the needs of today's students; and (3) asking institutions, states, and students to share responsibility for producing more graduates without compromising access and affordability. The report was supported by a grant from the Bill & Melinda Gates Foundation.

- Dr. Bernstein discussed several contributing factors to the stagnant job market, including rising income inequality, education budget cuts at the state and federal levels, and an oversupply of workers. He emphasized that education, by itself, cannot be an equalizing force. He put forth several ideas for improving job and education workplaces: (1) infrastructure and manufacturing investment; (2) assisting unions in better organizing; (3) increasing the minimum wage; (4) implementing a more rigorous application of labor standards; (5) stronger worker support programs, such as the Earned Income and Child Tax credits; (6) guaranteed health insurance coverage; and (7) better oversight of financial markets.

- Mr. Timmons described several challenges in promoting manufacturing in the United States that prevent employers from recruiting qualified foreign workers, including the expansion of certain union practices through National Labor Relations Board (NLRB) decisions, a growing lack of unqualified skilled labor, and immigration limitations such as a lack of necessary visas and green cards.


REPORT: CIS SURVEY FINDS SUPPORT FOR IMMIGRANTS RETURNING TO HOME COUNTRIES

The Center for Immigration Studies released a report on February 7, 2013 entitled “Americans Prefer Illegal Immigrants Head Home: Results of a National Survey.” The report is based on a poll conducted by Pulse Opinion Research, which found that of likely voters, 52 percent preferred that illegal immigrants in the United States return to their home countries versus 33 percent who preferred they be given legal status.

Dr. Steven Camorata, author of the CIS report, emphasized that the poll used “neutral wording” as opposed to the questions posed by other immigration policy polls that “have given the public the false choice of conditional legalization or mass deportations.”

The survey also found that 64 percent said that enforcement of immigration laws has been "too little", while just 10 percent said that it had been too much, and 15 percent said it was "just right." In addition, 71 percent of respondents felt that the reason for the large number of undocumented workers in the country was because the United States had not made “a real effort to enforce our immigration laws,” as opposed to 18 percent who said it was because the U.S. has not allowed enough immigrants to enter legally, and therefore they must come in illegally.

Dr. Camarota said that “the poll was conducted by Pulse Opinion Research and is a national survey of 1,000 likely voters conducted January 23-24, 2013. The margin of error for questions is +/-3%.”
For more information, go to:

**REPORT: PEW HISPANIC FINDS MOST MEXICAN IMMIGRANTS DO NOT NATURALIZE**

The Pew Hispanic Center released a report on February 4, 2013 which found that two-thirds of Mexican legal immigrants do not seek U.S. citizenship. *The Path Not Taken* was authored by Ana Gonzalez-Barrera, Mark Hugo Lopez, Jeffrey Passel and Paul Taylor of the Center, and analyzes U.S. Census Bureau data.

The report states that of the 5.4 million Mexican immigrants eligible for citizenship, only 36 percent have taken that step. That rate of naturalization is only half that of immigrants from other countries. Mexican immigrants comprise the largest segment of legal permanent immigrants, 3.9 million out of approximately 12 million. They are also the largest group of undocumented immigrants – accounting for 6.1 million (55%) of the estimated 11.1 million in the U.S. as of 2011.

However, in a nationwide survey by the Center, 93 percent of non-naturalized respondents stated that they would do so if it were not for other factors. They gave several reasons for why they had not naturalized: 26 percent said personal barriers, such as the lack of proficient English; 18 percent cited administrative barriers, such as the cost of naturalization. Also, twenty-six percent responded that they had not tried to naturalize yet or were not interested in doing so. Only four percent said they were currently applying or intending to do so soon.

The lower naturalization rate of Mexican immigrants, the authors state, “suggests that creating a pathway to citizenship for immigrants in the country illegally does not mean all would pursue that option. Many could choose an intermediate status—legal permanent resident—that would remove the threat of deportation, enable them to work legally and require them to pay taxes, but not afford them the full rights of U.S. citizenship, including the right to vote.”

To obtain the report, go to: http://www.pewhispanic.org/2013/02/04/the-path-not-taken/

**REPORT: PUBLIC POLICY INSTITUTE OF CALIFORNIA RELEASES NEW STATEWIDE SURVEY**

The nonpartisan Public Policy Institute of California (PPIC) released a *Statewide Survey: Californians & Their Government* on Wednesday, January 30, 2013 reporting Californians' views on various government entities, issues, and their overall outlook. The telephone poll of 1,704 adults had a margin of plus or minus 3.5 percent and was conducted the week of January 15-22, 2013.

Findings of the survey included:
- 51 percent of those surveyed stated that they thought California was moving in the right direction. 40 percent of those surveyed stated that they thought California was moving in the wrong direction, and 9 percent reported that they did not know. These findings indicate a 14 percent increase in optimism since January 2012.
- 56 percent of those surveyed stated that they thought the United States was moving in the right direction. 39 percent of those surveyed stated that they thought it was moving in the wrong direction, and 5 percent reported that they did not know. These findings indicate a 26 percent increase in optimism since September 2011.
- 65 percent of those surveyed stated that they approved of the way President Obama is handling his job; 29 percent stated that they disapproved, and 6 percent did not know. These findings indicate an 11 percent increase in President Obama's approval rating since January 2012.

- 51 percent of those surveyed stated that they approved of the way Governor Brown is handling his job as Governor of California. 28 percent of those surveyed stated that they disapproved, and 21 percent did not know. These findings indicate a 5 percent increase in Governor Brown's approval rating since January 2012.

- 34 percent of those surveyed stated that they approved of the way the U.S. Congress is handling their job. 59 percent of those surveyed stated that they disapproved, and 7 percent did not know. These findings indicate a 9 percent increase in the U.S. Congress's approval rating since January 2012.

- 52 percent of those surveyed stated that they approved of the way Senator Boxer is handling her job as a United States Senator. 27 percent of those surveyed stated that they disapproved, and 21 percent did not know. These findings indicate a 6 percent increase in Senator Boxer's approval rating since January 2012.

- 54 percent of those surveyed stated that they approved of the way Senator Feinstein is handling her job as a United States Senator. 25 percent of those surveyed stated that they disapproved, and 21 percent did not know. These findings indicate a 7 percent increase in Senator Feinstein's approval rating since January 2012.

- 56 percent of those surveyed stated that they approved of the way their own representative in the U.S. House of Representatives is handling his or her job. 27 percent of those surveyed stated that they disapproved, and 18 percent did not know. These findings indicate a 10 percent increase in the respective approval rating for Californians' own U.S. House representative since January 2012.

For more information, go to: http://www.ppic.org/main/publication.asp?i=1044.